The Miner's Right

Rolf Boldrewood

This Book Belongs to

ANDREW A. MILLER

If thou art borrowed by a friend
Right welcome shall he be
To read, to study, not to lend,
But to return to me.

Not that imparted knowledge
Doth diminish learning's store,
But books, I find, if often lent,
Return to me no more.

Read slowly, pause frequently, think seriously, keep cleanly, return duly with the corners of the leaves not turned down.

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THE MINER'S RIGHT

THE MINER'S RIGHT

A TALE OF
THE AUSTRALIAN GOLDFIELDS

BY

ROLF BOLDREWOOD

AUTHOR OF 'ROBBERY UNDER ARMS'

IN THREE VOLUMES

VOL. I

London

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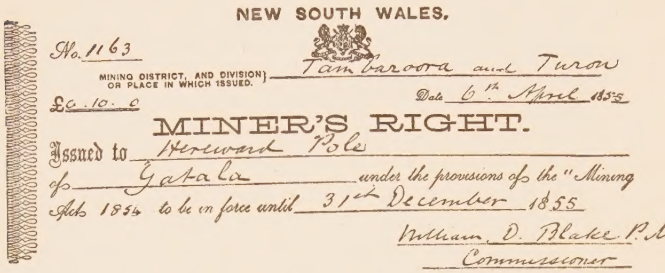
THE MINER'S RIGHT

CHAPTER I

I AM in Australia at last—actually in Botany Bay, as we called the colony of New South Wales when Joe Bulder and I first thought of leaving that dear quiet old Dibblestowe Leys in Mid-Kent. More than that, I am a real gold digger—very real, indeed—and the holder of a Miner's Right, a wonderful document, printed and written on parchment, precisely as follows. I ought to know it by heart, good reason have I therefor, I and mine. Here it is, life size, in full. Shall I ever take it out and look at it by stealth in happy days to come, I wonder?


NEW SOUTH WALES.

No. 1163

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MINER'S RIGHT.

Issued to Hereward Pole

of Yatala under the provisions of the "Mining Acts 1854 to be in force until 31st December 1855

William D. Blake P.M.

Commissioner

Yes, I am here now, at Yatala, safe enough; as I said before, with my mates—Cyrus Yorke, Joe Bulder, and the Major. But I certainly thought I should never get away from England. One would have imagined that a younger son of a decayed family had never quitted Britain before to find fortune or be otherwise provided for. Also, that Australia was Central Africa, whence ingenuous youth had little more chance of returning than dear old Livingstone.

As for me, Hereward Pole, as I had but little occupation and less money, I was surely the precise kind of emigrant which the old land can so gracefully spare to the new. Gently nurtured, well intentioned, utterly useless, not but that I was fitting myself according to my lights for a colonial career—save the mark!—

for I had been nearly a year on a farm in Mid-Kent, for which high privilege I paid, or rather my uncle did, £100 sterling.

So, I had learned to plough indifferently, and could be trusted to harrow, a few side strokes not mattering in that feat of agriculture. I could pronounce confidently on the various samples of seed wheat submitted to me, and I had completely learned the art of colouring a meerschaum by smoking daily and hourly what I then took to be the strongest tobacco manufactured.

It wasn't bad fun. Jane Mangold, the old farmer's daughter, who was coaching me, was a pretty girl, with rosy cheeks, a saucy nose, and no end of soft, fluffy, fair hair. We were capital friends, and she stood by me when I got into disgrace by over-driving the steam-engine one day, and nearly blowing up the flower of the village population of Dibblestowe Leys. Now and then I had a little shooting, and a by-day with the Tickham hounds. Life passed on so peacefully and pleasantly that I was half inclined to think of taking a farm near the Leys at the end of my term, and asking Jane to help with the dairy, poultry,

cider, and housekeeping department. Then a little incident happened which changed the current of ideas generally, and my life in particular.

It was one of the fixtures of the Tickham hounds, which sometimes honoured our slowish neighbourhood. Old Mangold, being grumpy, had told me that I might go to Bishop's Cote, or indeed considerably farther, for all the help I was to him. I had cheerfully accepted his somewhat ungracious permission, and mounted on a young horse I was schooling for Dick Cheriton, a farmer's son of sporting tastes, I made my way over, pleased with my mount, satisfied with my boots, and altogether of opinion that I was better treated by fortune than usual.

I *could* ride, to do myself justice, and shoot. Second whip or under keeper was the only post for which I was really qualified. I could make a fly and tie it: could somehow hit the piscatorial need of most days and most waters. Mine was rarely an empty basket. In fact, I was like a very large majority of the young Englishmen of the day, in that I could do a number of useless things, mostly relating to field

sports and manual accomplishments. Tall and strong, with thickish dark-brown hair, I had my mother's features and dark gray eyes, that didn't usually look anywhere but in people's faces. For the rest, I was wholly ignorant of every conceivable form and method of money-making, and could not have earned a crown to save my life.

Please to imagine me sitting sideways on my horse, thinking whether there might be time to have a smoke before the hounds threw off, then suddenly aroused by the rattle of carriage wheels, which denoted a stronger pace than was generally resorted to by county families assembling at a meet. Hastily looking round, I saw a pair of grand-looking brown horses, which had evidently bolted with a landau containing two ladies. The coachman was sitting still and doing his best, but he had only one rein; the other, broken short, was dangling from the near horse's head. I knew the horses, and, of course, the carriage. I had often remarked them at the village church; they belonged to the squire, who was my host's landlord. I knew, of course, the lady of the Manor by sight, having gazed at her afar off; but the

girl who was by her side in the carriage—pale and proud, yet despairing, with a piteous look of appeal in her large dark eyes—I had never seen before.

We were both early. The hounds had not yet come up. Save the village apothecary in antigropelos, and a stray horse-dealer or pad groom, there was hardly a soul near. My resolution was taken in an instant. I knew that the road they were speeding so fast along gradually commenced to descend. A longish hill, flint bestrewn, with a turn and bridge at the end of it, would soon account finally for all concerned.

I took my five-year-old by the head and raced for the hedge and ditch. He gave a highly theatrical jump into the road just by the side of the carriage. I saw both the ladies gaze with astonishment as I sent him up to the head of the reinless carriage horse. 'Help us, oh help us!' cried Mrs. Allerton, 'or we shall be dashed to pieces.' The younger lady did not speak, but looked at me with her pleading eyes in such a way that I felt I could have thrown myself under the wheels then and there to have been of the slightest service.

Nothing so sacrificial was required of me. Jamming my youngster, fortunately one of the bold temperate sort, against the near side carriage horse's shoulder, I got hold of the loose rein, and dragged at his mouth in a way that must have hurt his feelings, if he had any thereabouts. The coachman seconded me well and prudently. Between us we stopped the carriage within a quarter of a mile, and saved the impending smash. The rein was knotted, the bits altered to the lower bar, and peace was restored.

Both ladies were ridiculously grateful, though the younger, after impulsively placing her hand in mine, when her mother — as I found her to be — had shaken mine several times warmly, rather looked than spoke her thanks.

'Haven't I seen you somewhere?' at length asked the elder lady. 'I am sure I know your face and voice.'

I mentioned something about Dibblestowe Leys and Mr. Mangold.

'Ah, of course, I was stupid not to remember you before. You will tell us what name I shall mention to the Squire, as that of the gentleman

who so gallantly saved the lives of his wife and daughter.'

'Hereward Pole,' said I, bowing and blushing—one blushed in those days; 'very much at your service.'

'One of the Poles of Shute? Surely not. Why, I remember the old place when I was a girl. And your dear mother, is she still alive? I shall hope to see her again. What a wonderful coincidence! And, now I think of it, you are like her, especially about the brow and eyes.'

'Mamma, perhaps Mr. Pole would like to have his run with the hounds, now that we are all safe. We needn't stay in the road all day. I see they have put the hounds into Hollingbourne Wood. Papa says it was near Durnbank; so if Mr. Pole cuts across these two fields with that clever horse of his he will be just in time.'

'My dearest Ruth, you are a matter-of-fact darling; but I daresay Mr. Pole will enjoy the run after all. You young people are so strong. My poor nerves will be *agacé* for days, I know. May we hope to see you on Sunday to dinner, my dear Mr. Pole? I suppose Mr. Mangold can spare you on that day.'

'Or even on a week-day, perhaps,' said the young lady maliciously. 'You had better get away; I see something like business over yonder.'

I bowed low, and plunging in a dazed way at the hedge, was mortified to find that my steed adopted the tactics of *multum in parvo*, and got through rather by force of character than activity. However, I flew the next two fences in very creditable style, and reached the outer edge of the covert as Reynard had stolen forth, a few moments in advance of old Countess and Columbine, the detectives of the pack, and was well away with the leading hounds before the carriage was out of sight in the direction of Torry Hill.

The run was a cracker. How well I remember it still! I sailed along in the first flight all through. Indeed, so well was I carried, that I never had a chance of riding the young horse again, as he was promptly snapped up at a large advance upon his previous selling price. A single day with its occurrence brightens or shades a life. Fate takes the dial, and turns the hands with strong slow fingers, and we think we can carve out our own path in life, can

choose the good or shun the evil that lieth around us. Now, like children, are we hurried forward or frightened back on the track of doom!

When I returned to the Leys late that evening Jane was most anxious to hear everything about the day. Had there been a good run? Was I well up? Did Dick Cheriton's horse carry me well? She didn't see why I should go riding other people's young horses. My neck was more valuable than Dick's—a gambling, drinking, good-for-nothing fellow. Was the Squire's lady there, and her daughter Miss Ruth? The under-gardener had been down from the hall to see Deborah the dairy-maid, and had told her that they were going to the meet because Lord Arthur Gordon was to be there. He was staying at the hall.

I must have been more curt than usual in my answers; perhaps I was tired or cross: men sometimes are, for no reason at all, like women. Anyhow, Jane was disappointed, and left off questioning me, saying that 'she supposed I would find my temper after a night's rest. Only she did think——' and here there must have been a few tears, as I found myself

consoling her efficiently and protesting all kinds of palliatives, Mr. Mangold having as usual gone to smoke his pipe in the snug sanded kitchen, which he said was a hundred times more comfortable than Jane's smart parlour, which he never would call a drawing-room, much to her distress.

On the following Sunday I announced my intention of going to church, a practice to which I generally conformed on the ground of mixed motives, involving as it did a pleasant walk back through the lanes with Jane. To her wild astonishment and that of the parish generally, I was most cordially greeted by the lady of the Manor; hardly less so by Miss Allerton, and finally carried off in the sacred hall-carriage before the eyes of the dismayed villagers, who looked upon it as something hardly less than a translation to realms Elysian.

On arriving at Allerton Court, a grand old Elizabethan pile, we were met on the steps by the Squire himself, who most warmly acknowledged his indebtedness to me for the signal service which I had rendered his family. Delighted to find that I was the son of his old

friend Dunston Pole, while I was in the neighbourhood he hoped—indeed, he would take no denial—that I must look upon his house as my home. He was aware I was learning farming at the Leys with old Mangold. Very worthy old chap, and paid his rents with much more punctuality than many of the newer lights. Pretty daughter too, Miss Jane. Mind what you're about. Must not go about breaking hearts; though girls look out for themselves nowadays pretty well, he must say that, however. I must come over and shoot. They always thought there was some of the best cock-shooting in England at Allerton Court; and as for hunting, he would mount me to the end of the season. I needn't ride five-year-olds after to-day; though the one I steered to the Hollingbourne must have been a 'nailer,' if his informant spoke truly.

The Squire's address was fragmentary and conventional, but the tone of my whole reception was so truly sincere that I felt at once that my position as the friend of the family was assured. The lady of the Manor looked at me with a truly maternal warmth of affection, and from time to time recapitulated for the Squire's

benefit every incident of our joint thrilling adventure.

'Never was so near being a widower, my dear,' he said. 'I wonder who there is in the county that would have suited me? Never thought of it before! One should always be prepared for that kind of things though; couldn't have replaced my ladybird here though so easily, eh, Ruth?' and a tear gathered in the old man's glistening eye.

'You are a wicked old papa,' said she, holding up a finger reprovingly; 'you would have thought very little about successors and such rubbish, you know, if poor mamma and I had been dashed to pieces, which we should most certainly have been but for Mr. Pole's help and good riding.' And here I received a half-shy, half-grateful glance that made me consider myself a Paladin, and the lovely girl the fairest of the fair, like her that was to reward *le brave et beau Dunois*, who of old returned from Palestine.

This was all very well, but one could not return from Palestine without having in the first instance gone there. It was no doubt mighty easy for such fellows as Dunois to go

to foreign parts. Very little capital was required, and fighting, if a hazardous, is comparatively a cheap species of investment. Now, in these latter days, a man must either stay at home, leading an inglorious and unprofitable life, or be able to lay his hand upon a good round sum of money with which to be a backwoodsman in Canada, a squatter in Australia, a sugar-grower in Natal, or an indigo-planter in Nepaul. The days of cheap yet dignified adventure seemed, ah me, to be fled for ever.

Matters went on smoothly for me during the rest of my sojourn at the Leys. I learnt a decent amount of farming, and, indeed, gained a reasonable meed of praise from old Mangold. This advance in agricultural knowledge was due rather to increased attention on my part than to the time which I was enabled to devote to my duties; for, indeed, Miss Mangold told me with more acerbity than I had suspected her of possessing, I was always up at the Court, and, as she expressed it more familiarly than elegantly, in Miss Ruth's pocket.

I mildly repelled the accusation of living at the Court, excusing myself as to frequent visits

by saying that one wanted a little change, and treating with silent scorn the unauthorised allusion to any part of Miss Allerton's sacred costume.

'You didn't want so much change once,' she said, tossing her head, which still looked pretty enough with her fresh colour and soft abundant hair; 'but times are changed, I can see.'

'I shall have to go away next month,' said I, evading the latter part of her remark. 'You and I mustn't part bad friends, Jane.'

'I'm not bad friends,' she said, 'though some people are so fickle that they run after every new face they see just because people are high up in the world. I shall be sorry when you go, for it will be fearfully dull—worse than ever. But what will you do after you go away—take a farm about here? It will want money to do that, with the stock and rotation of crop you're bound to, and all the other fads for making farmers spend money instead of landlords nowadays.'

'I don't know what I shall do, Jane,' I answered somewhat reflectively. 'It appears to me that I have not much chance of doing anything in England.'

'But you wouldn't go out of England, Hereward—that is Mr. Pole,' said the girl hastily, while the colour left her cheek. 'You wouldn't go to America or India or any of those places, surely?'

'Why not?' said I bitterly. 'What earthly use is a fellow like me crawling about in England? I have no profession. I have no money. And the only thing I can try for is the post of a farm-bailiff, a gamekeeper, or a second whip. Even these need recommendations. No; I'm a useless gentleman, and they might as well have drowned me like a blind puppy as bring me up to such a fate.'

'Oh, don't you talk like that!' cried the good-natured Jane, much moved by my unwonted bitterness and the tragic view of my position. 'Surely your friends will do something for you. Set you up in a farm, or get you a place under Government. You might be happy enough that way, if you would only be contented.' Here she sighed softly. Poor Jane!

'I could never be contented,' said I, 'with anything short of a decent position in the world. I hate the sameness of an everyday

pokey life. I must travel, or get away from England and try my luck somehow.'

'Why don't you ask the Squire to make you gamekeeper at the Court?' she said mischievously; and then, marking my sudden change of countenance, said: 'Oh, don't be angry, Mr. Pole! But I hear father coming——'

Some days after this conversation I received a letter from my uncle, in which he drew my attention to the fact that the year during which he had consented to pay for my training at Dibblestowe Leys had well-nigh expired. After that time he should be unable to do anything further for me, unless I chose to take a junior clerkship in the Treasury or a situation as farm-bailiff; either appointment he doubted not that he could procure for me.

I was much minded to answer hastily, telling him that he need not trouble himself about such means of maintenance. Then I bethought myself that I ought seriously to think the matter over. Careless and reckless as I had been up to this time, a change had taken place in my position which swayed the whole current of my thoughts.

I had become sensible that my early admira-

tion for Ruth Allerton had gradually ripened, from the opportunities which had been, perhaps unwisely, afforded us of knowing one another fully and unreservedly, into a deep, altogether uncontrollable passion. Gradually had our hearts become attracted, then inextricably intertwined in that mysterious bond of soul and sense—that complete instinctive union of every thought and feeling, which perhaps rarely occurs so indissolubly as in early youth.

We had spoken no word on the subject to each other. Yet had we discovered methods of divining each other's inmost thoughts. And as soon as I commenced to think about leaving the neighbourhood and ending the pleasant life of that most idyllic year, ah, me! the whole truth flashed upon me with lightning-like revelation.

Curiously enough, I had scarcely realised it before. Utterly contented with the friendly liberty which I had enjoyed, I had, with the utter carelessness of youth, rested satisfied with the present. I was by no means so new to the world that I did not gauge the utter impossibility of my gaining the consent of Ruth's parents to an engagement — even were she

favourable. County families don't usually arrange the marriages of their daughters on such terms as I had to offer. Granted that she was weak enough to assent to any mad proposition of mine, what possible hope could I entertain of carrying out an engagement? I firmly believe, looking back to that time, that I had no other intention than loyally to abstain from compromising or entangling her. I would take my leave calmly of the old hall court and its loved inmates, and afterwards I would leave England. I was fixed in that opinion; nothing would persuade me to remain pottering in this crowded old country, eating away my heart with a sense of poverty, inferiority, and misfortune. England was no place for a younger son. Without money, more than one of my ancestors had left it to seek his fortune. So would I.

I prepared then for quitting Dibblestowe Leys with something like method. I wrote to my uncle stating that I had no inclination to remain in England and commence a painful ascent to a competence by beginning at the bottom rung of the ladder. That my mind was made up to go to America, north or south, I

hardly cared which. That possibly I should make for California, then in its second year as a gold-producing country. That he might help me to emigrate if he would. But that if he did not, I should go before the mast and work my passage in the first ship that would take me. His answer was that he thought I was mad, but that if I was determined to go, he would pay my passage, and find me a trifle by way of outfit.

I did not mention this notable determination to Ruth, reserving it to the last; perhaps constitutionally unwilling to make a painful statement until it was absolutely necessary. Meanwhile, I commenced to use my practical opportunity effectively; to that end I worked every day for a short time in the blacksmith's shop attached to the farm, for which fascinating work I had always had a boyish taste.

One bright morning I was relieving the striker for a short time, when he pulled a grimy newspaper from his pocket. He was a broad-shouldered, muscular young fellow of twenty, who had always been a kind of humble friend and ally of mine. Passionately fond of shooting and fishing, I had taken pains to get him a

day's rabbiting occasionally, and had let him carry my basket now and then when we had an afternoon's holiday and set off for the trout stream. 'Would ye look at this, Mr. Pole?' said he. 'I ha' gotten it from a brother of mine in Australia, who went there in a big ship called the *Red Jacket* last year. Quarter-master, Jack was; and seems loike he's runned away, and gotten hissen up the country to a place they call Ballyrat, where they're a-rootin' out the gold like spuds.'

'That must be all nonsense,' said I, unable to take in so much of the unusual at one gulp.

'Nay, but it is na,' he replied. 'He sent me the letter and two newspapers as I've got at the kitchen as ye'd like to see 'em. Here's the letter. Happen ye'd like to read it. It's Jack's fist sure enough. He wants me to go to him, and I'd go fast enou if I had any neighbour folk as 'ud go with me. But I can't think to face so far by mysen.'

'Ha! Joe,' said I, raising the heavy hammer and bringing down stroke after stroke with a strangely excited feeling, which made the heavy tool tremble in my grasp like a tack hammer.

'Wants you to go, does he? Well, maybe you might have a mate after all.'

I finished my hour's striking, shod a horse, and pointed some farm tools, thinking the while that I might find such skill valuable in rude lands. My task done, I ventured to the Grange, and, locking myself in my bedroom, opened the epistle of Mr. Jack Bulder. Thus it ran :—

'BALLARAT, October 10, 1851.

'DERE BROTHER—This comes from the land, and not from the good ship Redjacket, as I expected to write home from wen I left the Leys, in consekens of my having run away from the old ship, wich I never thout to have done, only every crew in Melbourne harbour has done the same, and your brother Jack isn't worse than other people. We all cut it, dere brother, because of the goold, which they told us was tremenjus, and too much to resist, and *so we found it*. Since I have cum here I have made three hundred pound besides two nuggets which i kep in a wosh lether bagg. There is plenty more ware that cum from. Dere brother, if I was you I would cum here at once, and don't let nothin' stop you, I send forty pound; it ain't much, but it will pay your passidge. Dere brother, let nothing kepe you from cummin' hear. This is a very nice country and we all xpeck to make our pile, that is fortun, in too yeares, at farthist. Dere brother, put yourself aboard a ship at once is the advice of yours truly, JOHN BULDER.

'*P.S.*—My mait has just found a lump of goold worth

fourty pound. When you go to Melbourne, go to the Oriental Bank and ask for John Bulder; they will know my address. I send the *Star* and the *Herild*, as will let you know what is happening every day here, quite comman.'

I carefully read the newspapers after perusing this characteristic but conclusive epistle. They were well printed and respectably conducted. I marked the following paragraph with an instinctive feeling of relief and approbation, as follows :—

'We are glad to be enabled to chronicle the good fortune of our old friends Billy Watson and party. They struck good gold on the Monkey lead last month, and have washed up 200 loads to-day for 300 oz., worth at present price £1100, no bad result for six weeks' work for four men.

'The Blue Danube Reef has, we hear, come again on the lode at the 300 ft. level, and the specimens are excessively rich. Shares immediately went up, and it's reported that Mr. Smarter, by timely sales, cleared £2700 profit upon his original investment. We wish him every success.

'A bazaar was opened yesterday for the benefit of the local hospital, which we are glad to see was extensively patronised. Too much praise cannot be bestowed upon those ladies who have taken so much pains and bestowed such unremitting personal labour on this exceedingly attractive exhibition. More than £400, we hear, were collected and subscribed. When we think of the great uncertainty of

life and limb existing in mining communities, it is obvious that such an institution, efficiently worked, is almost inestimable. We trust that the miners will rally round this unsectarian charity at another time. Meanwhile, may the Green Gully Hospital flourish and its founder meet with all manner of success.'

Here, in my circumstances, was a manifest revelation. It was plainly indicative of the country to which to go, and the reason for which to go. In other lands long toilsome years must be spent before there was even the chance of a fortune being made. In this wonderful country a single month might place one in that blessed condition of independence, that no amount of self-denial and labour in England could secure in half a lifetime.

I read and re-read the newspaper—the *Star*—from end to end. The more I read was I convinced of the *bona fides* of the information, and the general advantages of the locality. I saw by the section of 'Police News' that offences were unsparingly punished in accordance with British law. Deeds of mercy and charity were by no means omitted from the daily life of the toilers for gold. It was not all *couleur de rose*, as the record of casualties and accidents proved. Still the fact remained incontestable that for-

tunes *were being made* weekly, daily, in that favoured spot. The gold deposit was not likely to be worked out very soon. Other finds were referred to. It was the modern Eldorado. A two months' voyage would land one there. My mind was made up. I would try the gold region, and either win fortune, with whom fame is generally on speaking terms, or pay the usual penalty.

I informed Joe Bulder of my decision. Somewhat to my surprise he at once proposed to accompany me. 'I'm nowt but a plain lad, Mister Pole,' said he, 'but you might loike to see a Dibb'stowe face in foreign parts; and I'll stand by thee hand and foot, I reckon. I'm tired of working here for Farmer Mangold. Doesn't thee see blacksmiths be a-gettin' a pound a day oot there?—shoeing horses a pound a set. Why, thou'st made a pound thysen this marnin', besides sharpening they picks at a shillin' each. Danged if I don't keep t' forge while thee goes a-seekin' for gowd, and we can share and share loike.'

Joe little thought that he was advocating the great Australian mining custom of 'dividing mates,' by which most generously equitable

portion of the unwritten law, fortunes have been made and shared on every goldfield in Australia. 'I shall be only too glad to have such a good fellow with me, Joe,' said I. 'It's a bargain. The next thing is to find a ship.'

CHAPTER II

My intercourse with Allerton Court and its inmates had continued as usual. A half-regretful tone had certainly characterised our latter interviews, since I had allowed it to be known that I should not remain at Dibblestowe Leys. May it have been that in each heart was still some unacknowledged feeling that I might not finally quit the neighbourhood, or, at any rate, go no farther away than the county in which my uncle resided. A few questions had been put by the Squire and Mrs. Allerton as to my future projects. To these I had answered without strictly defining my intentions. I had, in return, received good advice from the Squire, on the subject of making up my mind and taking a path in life. They little dreamed of the one I *had* chosen.

At length, however, the day before my

departure arrived, and I rode over to the Court to pay my farewell visit. The Squire was away at a neighbouring farm, and Mrs. Allerton had accompanied him for a morning drive. I found Ruth in the old-fashioned garden, near the fish-pond, a place where a stone balustered terrace had been built, nigh which was a seat which commanded an unrivalled view in our eyes. There were Hollingbourne Woods and Torry Hill—the marshes by the sea, with the isle of Sheppy like a cloud in the hazy distance.

It was called the Lady's Seat, and was popularly supposed to have been placed there and much affected by an ancestress who had lost her lover in the battle of Long Marston Moor. It was the favourite resort of Ruth, who was of a contemplative and studious disposition. Here she was accustomed to take her sketch-book or a volume, and spend many a glad spring morning or still summer afternoon under the shade of the ancestral oaks. Half instinctively I wended my steps thither, when I heard that the Squire and Mrs. Allerton had driven over to Ollendean.

'You find me here all alone,' said she, 'and I am not sorry. I have been reading the *Bride*

of Lammermoor over again, and making myself low-spirited over the woes of that most unlucky Lucy Ashton. Yet, I cannot but think, if she had acted with more firmness, and been true to her better nature, the tragedy need never have taken place. She was a victim of indecision.'

'What, in spite of her mother, that terribly despotic matron?' said I, 'and the prophecy?—

"When the last Laird of Ravenswood to Ravenswood shall ride,
And woo a dead maiden to be his bride,
He shall stable his steed in the Kelpie's flow,
And his name shall be lost for evermoe!"

What girl could stand against such a rhythmical doom, even leaving out the inexorable parent?'

'Some girls would—most of them, I hope,' she said, looking dreamily across the far wide landscape, over the greater part of which her ancestors had once held lordship. 'It might have rent her heart well-nigh to resist her parents, but there was no other course to pursue.'

'Do you think *you* would have had strength of mind and constancy enough to have kept faith with the ruined, ill-fated Ravenswood?' asked I, with a sudden impulse; 'think of the superior

claims of a smooth, safe marriage with the prosperous Laird of Bucklaw.'

Her cheek flushed for a moment, but her eye met mine with an artless candour, which showed how little she realised the analogy.

'It's hard to go at once from romance to reality,' she said, 'and I can hardly imagine the situation occurring to any one in these modern days; but, surely, if she had ever loved him, she must have clung to him *more* for his poverty and his banishment. As for agreeing to her mother's hateful project, she must have been mad, poor thing, as she afterwards proved to be, when she permitted them to speak of it to her. But suppose we leave Sir Walter here,' putting the book on the seat, 'and walk down the beech avenue this lovely morning. Have you had any sport lately? I don't think you have been over for a week.'

For a while, as we walked along the well-known avenue which followed the brow of the eminence, through the opening of which the hills, the valleys, with their woods of hazel and Spanish chestnut, contrasted strangely with the dreary marshes, a momentary forgetfulness of my plans and purpose possessed me. We talked

as usual upon the hundred-and-one subjects which were common ground between us. The state of the county politics, the new clergyman in a neighbouring parish credited with advanced views, the box of new books from Mudie's, the grand run from Staplehurst, in which the Squire had been well up with the hounds, a great dinner-party which was to take place next week and to which I was to come and practise a part in a charade. A string of half-sisterly confidences which had always, since our first meeting, been open to me, and of which neither of us had ever thought, except as trifles, which might pass between ordinary friends or relatives of similar ages. My heart had only now undeceived itself. Hers was as yet strong and unfaltering, with the unsuspecting confidence of innocent girlhood.

I have often thought since that Ruth Allerton was a very uncommon type of womanhood, singularly unversed in the lore of the affections, in which knowledge girls of her age so often discover a premature shrewdness. Unlike most of her contemporaries, she was indisposed to the amusements befitting her age. The Squire abhorred London, and rarely went except when

he could not avoid it. To Mrs. Allerton there was no happiness where her husband was not. And so it came to pass that Ruth had lived a life practically isolated from the gay world, fully absorbed in her own pursuits and resources.

When I recall the subjects upon which our long talks chiefly turned—such unusual ones, for instance, as what was the happier state of life, whether to live for oneself or for others? This we decided very strongly in favour of the unselfish line, as who at our ages would not? A great and often resolved scheme for hers was, how to do the greatest good to the poor in this or any other neighbourhood, without destroying their independence and self-respect. How many plots against capitalists did we hatch in this behalf—as lawyers say.

What was the exact proportion of mental and bodily labour most fitted to produce true health of sense and spirit. Whether voluntary or involuntary labour was more beneficial.

Since then, how many different women of every creed and clime, rank and degree, have I known, only to confirm my fixed opinion, that she was a choice floweret of the rarest type of womanhood. For, old or young, rich or poor,

wise or vain, homely or fair, I have never met with any woman like her.

Surely, there never was one more unconscious of her personal attractions. They were sufficiently visible to the ordinary gaze, yet she rarely troubled herself to heighten them in the slightest degree, never alluded to her form or face, hardly to those of others, and never but as illustrations of a fact. Plainness of apparel, except on occasions when she could not escape adornment, invariably characterised her, though she, perhaps, was a little *exigeante* as to material. I used laughingly to tell her that she would make an excellent Quakeress, but that her muslin would always be wonderfully fine, and cost more than any one else's.

Now, all this pleasant companionship must perforce come to an end. No more arguments when, with the pure light of truth shining from her earnest eyes, she would combat my utilitarian views, often adopted to rouse opposition, and to evoke the enthusiasm in which I delighted.

I did not, excited as I was with the idea, realise within myself the completeness of disruption which would be caused from all my old ties and life moorings.

'Ruth,' said I, 'do you know that a sense of mournful foreboding is creeping over me, lovely as is the day and perfect the scene. I have bad news which I must tell you. I am about to leave Dibblestowe Leys and—and, indeed, England, perhaps for some years.'

'Leave England,' she said, with such a sudden, sharp intonation, almost a cry of pain, that I looked up amazed. 'Oh, you are not speaking in earnest, Hereward; tell me you are not.'

'I must go away from this place, happy as I have been here,' I said. 'And as I have no fortune, nor the slightest hope of making money here, I must go to some part of the world where I may, if I have luck, make it quickly.'

She had looked at me for one moment with a wild, piteous gaze of incredulity. Then she sank down on a rustic seat bench, and, turning away her head, sobbed unrestrainedly.

'Ruth,' said I, 'dearest, darling Ruth! do not grieve so. I may, after all, only be a short time absent. Besides, most men have to leave their homes in youth. Why should I expect a better fate? If I had dreamed that you would feel it thus, I might have——'

She interrupted me with a wave of her hand, as if forbidding me to continue my explanation. I sat down beside her and permitted her to give free course to her grief.

After a while she turned her face towards me,—that sweet face I so often see in my dreams. It was calm and still, but with the strange unnatural look which comes when all hope has passed away.

'Why did you tell me so suddenly, Hereward?' she said softly. 'You see you have made me confess to caring so very much for your departure. If I had had more warning, I might have behaved like a young lady of the period, and hid my heart behind a cheerful farewell. Are you not sorry for your hastiness?'

'I am more glad than I ever was at anything in the world since I was born,' I said, throwing myself on my knees before her, and kissing her cold hands, until they seemed to burn with the wild fever of my own blood. 'But I feel as if I had treated the Squire and your mother dishonourably, in winning their daughter's heart, under what they will consider false pretences.'

'We have both been to blame,' she said sorrowfully, 'if people are to be blamed for loving each other fondly, without a thought of evil or deceit. But we could not help it, I suppose. And I can certainly declare, that I did not think I cared more for you than for a dear friend whose tastes and feelings seemed much to harmonise with and elevate my own. And now you are going away—for ever, perhaps; *must* you go away? Does love always begin by making people utterly wretched?'

'I must go away,' I said, 'unless I am to ask the Squire to please to support me for the love of his child, or unless I am to content myself with a position of sordid penury, as hateful to myself as it would be dishonouring to you. No, dearest; there is but one path to me now—that of honour and adventure. The die is cast. But what are we to say for ourselves at the Court?'

'We must tell the truth, of course,' she said proudly. 'There need be no concealment. I am not ashamed of my choice, my own Hereward—are you? Then let us go boldly to my dearest mother. I will tell her, as I have always told her, everything from a little girl.

You are to dine here to-night, so you will have to tell my dear old father.'

'And what will he say, Ruth, do you think, when I mention my very handsome expectations?'

'He may be angry or grieved at first, but you must not mind that. The worst will soon be over. And he is so generous and just in all his thoughts—he will consider my happiness before everything. Tell him what you hope to do in—in—this far country; and that in a few years you will come to claim me. There is no more to be said. It is the truth; and the truth, he is fond of saying, always prevails.'

All this was very well, and as my darling looked into my face with her tender, honest eyes, I felt it to be in a way reassuring; but the truth was, in the present case, that I was most horribly frightened, and, having a clearer view than my unworldly love of the extremely inadequate grounds upon which I had sought her affection, dreaded the dinner referred to, as if it had been a feast to precede dissolution.

Having made up our minds to dare the dreadful alternative of facing the Squire, Ruth and I, with the happy rashness of youth,

commenced to look upon our joint future as a thing assured, in some form or other, and to make plans with the cheerful confidence of birds in a premature spring.

After dinner, during which Ruth had been very quiet, even *distraite*,—but as she was often so, less notice was taken of her mood than would have been the case with a girl whose spirits were ordinarily lighter,—I opened the trenches.

'I am afraid I shall have to say good-bye, soon, to this neighbourhood, and to all my pleasant visits to Allerton Court, Squire,' said I, gulping it out.

'How is that?' said the Squire, 'leave the country side! why, we couldn't do without you—who is to drive Mrs. Allerton, and get ferns for Ruth, and sketch ruins for Dame Ermentrude?'

This was an old aunt, a special patroness of mine, who lived in what was called the Old Dower House, and who petted me for want of much other kin to waste her loving heart upon.

'Why, we shall be altogether moped and desolated. I wanted you to ride that new horse for me this next season. Why not stay

another year at the Leys? You won't know too much farming then, I'll be bound.'

'And what am I to do afterwards?' said I. 'No, Squire, the long and the short of it is, that I have made up my mind to strike out a new path for myself, if not in this country, in some other.'

Here Mrs. Allerton and Ruth left us, and I continued with a boldness akin to recklessness.

'And I have something more to tell you, Squire,' said I, looking him full in the face, 'something, I am afraid, that you will not approve of, but it cannot be helped.'

'What the deuce is the matter?' said the old man, 'you haven't married Miss Mangold? I should consider that imprudent, I must say, but not my affair.'

'Never mind poor Jane Mangold, Squire,' said I. 'It is no laughing matter. Your daughter and I have discovered that we love one another, and have this day plighted our troth. You will not suspect me of making dishonourable use of the confidence with which you have always treated me, but the fact is, I believe we neither of us suspected the state of our feelings,

and the avowal of them to-day was the purest accident.'

'What?' said the Squire, jumping off his chair with alarm and astonishment, 'do you mean to tell me that you two young fools have engaged yourselves to be married without asking any one's leave in the matter? What in the name of everything imprudent have you to marry upon, Master Hereward? What geese—idiots—deaf-and-dumb blind incurables have Mrs. Allerton and I been! And Ruth, too, the last girl I should have ever thought would have dreamed of such folly. My poor Ruth!'

'Squire,' said I, 'I will say good-bye, and get back to the Leys. I see you are too excited to hear what I have to say to-night.'

'No, no, boy,' he said, motioning me back to my chair. 'Mustn't turn you out like that. You've always been a good lad, and one after my own heart. But the inconceivable folly of two children like you wishing to be married. Why, it will be time enough for you to be thinking of it this day ten years, and not then, if you haven't a home to offer her. And to think of my folly! I am the person most to blame in the matter.'

'But, Squire,' said I, 'suppose I make a fair thing, as fortunes go, in five years, I shall then be six and twenty, and not so unpardonably young. Ruth is not eighteen, so she could afford to wait till she was three or four and twenty, without wasting her bloom.'

'Wait be hanged!' said the choleric old gentleman; 'she would wait for twenty years. I know her nature; but do you think I want to see my girl shrivelling up into an angular old maid, with her temper and her health both soured together, her good looks gone, and her life wasted for the sake of a fellow who is, as like as not, racketing on the other side of the globe, and taking the matter very coolly? And what is this wonderful plan, may I ask, for making a fortune in five years?'

'I am going to Australia to try my luck at these goldfields we hear so much about. There is no doubt they are wonderful places, and the yields are enormous.'

'All lies, I daresay,' said the distrustful senior. 'Anyhow, I have no great opinion of colonies; lots of people go there, who are no great good when they leave, and they come back a great deal worse.'

'Look at the paper,' I said, and I unfolded the Forest Creek *Herald*, which I had kept and read and re-read till I knew the names of all the people on the diggings as well as if I had lived there.

'People write queer things in newspapers, even in England,' he said, reaching out his hand for the journal in question. 'I hardly think they can be very trustworthy in a colony.'

'Read for yourself,' said I. 'I think the internal evidence shows intelligence and respectability. There are chapter and verse for the many wonderful things recorded.'

'Certainly, it is well printed and got up,' he said, relenting somewhat as he glanced over it; 'and really, it does seem all very wonderful and enticing. If I were a young man, I think I should take a run there myself. What does this mean? "We are gratified to learn that the shareholders in the Welcome Home Reef, who have been for more than a year hoping against hope, have struck good gold in their three hundred and fifty feet level. This at once sends up the shares to seventy-five and eighty. They were offered at seven ten last week.

One gentleman whom we could name has realised twenty thousand pounds, in addition to his Sandy Creek profits, within the last fortnight."'

'It means,' said I, 'that a few energetic workers have been rewarded for their pluck and patience,—and after a fashion which would need half the years of a man's life to develop in England.'

'I must say,' he continued, looking over the alluring announcements, 'that such enterprises wear a very feasible appearance, as described here.'

And he began to quote afresh.

'"The Crinoline Claim washed up for four hundred loads on Saturday last; the dirt went well over two ounces to the load. Not so far off a thousand pounds a man for eight weeks' work. The shareholders are comparatively new arrivals." That sounds encouraging, I must say,' said the partly mollified elder. 'But there is no certainty, no certainty. Ah, here's another. "All previous finds on the field have been reduced to insignificance by the great find of the Welcome Nugget, at Whipstick, by Happy Jack and the Fiddler. Its net weight

was 170 lb. 6 oz. Its value is estimated by the manager of the Bank of New Holland as not less than £8000 sterling." Ha! ha! we don't pull them up in Old England like that, Hereward, lad! I suppose there'll be no keeping thee; I should go myself if I were young again.'

On the morning after the storm—the winds and waves having somewhat abated—a calmer consideration of matters ensued. Of course, Ruth had confessed all things to her mother, and with feminine perseverance and entreaty had fully enlisted that kindly matron on her side.

'When I married your father, my dear,' she said, 'he never expected to succeed to this dear old place. Several lives lay between us and its possession, all of which were inscrutably removed. We had to undergo many things; but we never repented of the tie which had joined us before we came to our kingdom. Still, *some* provision is needed to be assured. I must say, I think Hereward very brave for resolving to go to such a horrid country, and not more adventurous than a young man should be.'

It was finally settled that our engagement, which could not be annulled without an amount of judicial cruelty which neither parent had the heart to inflict, should be conditionally ratified. I was to be permitted to seek my fortune in the far unknown land, concerning which they had such very slender information. Ruth would wait at home for five years, if that period should be consumed in the not always speedy process of making a fortune.

Have I before stated that the Squire and his wife were not average specimens of the upper classes of the day? Strange to say, they elected to consult the feelings of their child. They did not scoff, after the first natural outburst of the Squire, at youth and strength, high hope and honest determination, nor secretly resolve to compel Ruth to accept the first middle-aged suitor of indifferent morals and unexceptionable fortune that presented himself. That such would have been the course pursued by a very large majority of parents occupying the same or a higher social position, my experience of life enables me to assert fearlessly. Thank Heaven, my darling had been blessed with a father and mother of wholly

different ideas; otherwise she might not have been her sweet self, and the star which shone so brightly amid the storm-clouds which enveloped my career might have sunk for ever in darkness and despair.

We, happy and heedless children that we were, felt as transported with joy as if we had received permission to marry next month. Ruth was one of those maidens to whom watching and waiting have ever been nearly as suitable, indeed, quite as secretly satisfactory as the immediate fulfilment of their hopes, as affording scope for the self-sacrifice which constituted so large a portion of their nature. And I, on the other hand, felt moved with the natural passion of adventure, so strong in early youth, to kill my dragons and slay my enchanters in decent profusion, before I entered into the undisturbed possession of the fairy princess and the enchanted castle.

Of course, Mrs. Grundy outdid herself in protestations against the madness of the Squire for even sanctioning our engagement. A young man without a penny in the world, who was going to a rude wild country like Australia, from which he never would be heard of again.

And really, it certainly was so difficult to believe—here they were permitting that nice, sweet girl—she had not much money, to be sure, but she belonged to a county family—to engage herself to a penniless youngster, without money, profession, or expectation!

Fortunately for me, both the Squire and his wife treated such babble with supreme contempt. They were absurd enough to desire above all their daughter's happiness. They knew her steadfast disposition too well to doubt her constancy—to think of coercing her will. The affair was—even the marriage which it foreshadowed—a fixed and settled thing, not to be gossiped about but to be made the best of.

The Squire made an attempt to prevent my emigration, which, like most English people of assured position, he looked upon as more bitter than death. He offered me one of his own farms at a low rent, with a promise of a loan of money sufficient to stock it. But my pride was fully aroused. My determination to do something worthy of the inestimable treasure they had confided to me was unalterable. So, in despite of all obstacles and hindrances, a month saw my passage taken, and all preparations

made for my voyage to the other end of the world.

My uncle did not attempt to alter my heroic determination; he acted sensibly, if not affectionately.

'I observe in the papers,' he said, 'that very astonishing finds have been made by the adventurers who have crowded from all lands to the Australian goldfields. You are young and strong, and totally without occupation. All the better for you that you have good blood in your veins. Your sisters will need every farthing of what was left by my brother. Still, I can make shift to pay your passage, and find you a decent outfit. You *may* make a fortune. Many as broken a ship has come to land. Write now and then and say how you get on. We have not, perhaps, been the most affectionate of relatives. When you reach my age you may, perhaps, understand some of the feelings of a disappointed man. Sincerely I bid God to bless and speed you.'

He shook my hand more warmly than I thought it was in his nature to do. My sisters hung weeping around me. In a few minutes the dog-cart came to take me to the station,

and I left the home of my boyhood—for ever. Joe Bulder joined me at the station. That evening we slept on board the grand clipper ship *Marco Polo*, Captain Driver, bound for Melbourne, in company with four hundred and fifty other passengers, of every conceivable age, profession, and variety of mankind.

CHAPTER III

Apparently we escaped all perils of the deep. To them I do not need specially to refer. For here we are at the Yatala diggings, I and my worthy mate and friend, Joe Bulder, both considerably altered in several ways. Two men are sitting by a large fire of logs, near the doorway of a small tent. They are old mates, and the other shareholders in the claim. Our party consists of four, which is much the most common number, particularly where the sinking is deepish as here at Yatala.

As to dress and general appearance, I don't think any one would have recognised the fresh-coloured, moderately well got-up youngster who used to sit in the Squire's pew at Bishop's Cote Church, or even the amateur farm-labourer holding the plough occasionally, or driving the engine at Dibblestowe Leys. The man who

has just come out of the tent wears certainly a different appearance. He is arranging his raiment preparatory to commencing 'the night-shift' —eight hours' uninterrupted work, nearly one hundred and fifty feet below the earth's surface. The which term commences at eight P.M., finishing at four o'clock in the morning. This man is taller and broader than the slight stripling who left England four years since in the *Marco Polo*. His arms are bare to the elbows, up to which is rolled a close-fitting flannel shirt. They are bronzed with exposure to a fiercer sun than that which ripens England's harvests, and the muscles stand out, cord-like, in relief. Round the waist, which is that of an athlete in high training, is a leathern strap tightly belted. He wears trousers of moleskin which, though clean and of fairly good cut, have, from constant washing with water holding a large proportion of clay in solution, become of a bright and cheerful yellow, altogether ineradicable. Yet, though the garb is plain and workmanlike, there is no trace of unnecessary coarseness of habit. The short hair and trimmed beard are those of the fashion-guided unit of humanity, while a studied air of cleanliness

denoting regular baths and ablutions is plainly visible to the observant eye. This man is Harry Pole, the digger, myself, kind reader, after four years' steady, ill-rewarded toil at Australian and, indeed, New Zealand goldfields —no nearer, as may be surmised, to the fortune which was to precede the priceless gift of the hand of Ruth Allerton.

Let us listen to the conversation of this man and his comrades.

'I don't see the use of going any furder with this confounded claim; here we've been bustin' ourselves for the last three months, night and day, and not a foot nearer to the gold than we was when the first shovelful was took out. We haven't a pound to bless ourselves with, and we're in debt to Mrs. Mangrove, at the Beehive store, that deep that I'm ashamed to go in for powder, or a bit of fuse. We're on the bottom safe enough, and there's not gold enough to put on the p'int of a needle. I say ding it this very night, and let's try for a show somewhere else.'

This encouraging speech, which most accurately described our financial position and prospects, capital and expectations, is made by

Mr. Cyrus Yorke, a young man of unusual physical power, but weak as to the reasoning faculties. He is of English descent, born in Australia, and though possessing many good qualities, is incorrigibly careless, besides being averse to sustained labour of body or mind. He is the only man of the party who is not a bachelor. His wife is a good-looking, good-tempered little woman, with twice as much sense as her spouse. She is the housewife for the party, and is treated on that account and for other reasons with great respect and consideration. Indeed, but for her conciliatory ways, it is most probable that some one of Yorke's many provoking sins of omission or commission would have led long ere this to his exclusion from the party.

'We're bound to see the end of this drive,' I say, in an argumentative tone. 'Everybody believes that the "lead" lies due west of us, and in thirty or forty feet we *must* strike it, if it's there at all. It would be foolish to throw away all our work and expense, perhaps, just a few yards from good gold.'

'We're bound to drive oot to the last inch,' said the square-set determined-looking man

smoking a short black pipe. 'Harry here's marked and ciphered it all out, and we all agreed to it. What's the use of throwing up the sponge afore the fight's over? What dost thou say, Major?'

'I fully agree with Pole,' said the individual addressed, who, in monkey-jacket and generally rather roughish array, was lying on one of the stretchers reading an English newspaper. 'He has worked out the thing, as you say. I was too lazy to follow him. But he is generally right and Cyrus is always wrong; so, perhaps, he had better take his line and mind his immediate business, which is to tackle this night-shift, and wire-in at the cross-cut without any more humbug.'

'Well, I'm blessed,' growled the unpopular candidate, 'if that ain't a nice way to talk to a mate and a shareholder, Major. One would think I was a wages-man, the way you three coves bosses it over me. You'll rouse the British lion one of these fine days, and so I tell you.'

Apparently Cyrus Yorke was minded to defer poking up that long-suffering royal beast until a more convenient season—for he walked on to

the 'brace' and commenced to peel off his heavier garments, preparatory to descending into the bowels of the earth, without more ado.

'You're all agin me,' he said, as he opened his vast chest and stretched his colossal arms above his head, as if trying whether his joints were about to act in their usual manner. 'But that's the way in this country, the majority always has the pull. It's time that kind o' thing was stopped, I think. Now, Mr. Joseph Bulder, you go and lead the old mare. I s'pose you don't want me to break my back, as bad as I am.'

'Thou'rt a rattlin' fine chap, if thou'd use thy four bones as is summot like, and drop botherin' thy old turnip of a head, as God Almighty never intended ye to do nowt wi' but tak' ither folks' orders. I'll back thee to put down a shaft agin any chap in Yatala. But don't thee go argufying, for it spoils thee. Ask thee wife else. Steady! Bess, old girl.'

Cyrus Yorke made no further reply, but clasping the rope with his hands above his head, placed one foot in the loop at the end and swung himself off the wooden stage, which is always built at the mouth of a mining shaft.

A 'sprag,' being a stout piece of hard wood, was inserted between the rope and the iron roller on which the rope ran, and thus the miner was slowly and steadily lowered down the deep, dark, apparently fathomless shaft.

In being lowered, dependent upon a single rope which, though apparently strong, has been known to break, the sensations are complicated if the depth be much over a hundred feet. The closeness of the sides of the shaft to the explorer gives a species of false security, by no means borne out by reason. An inexperienced cragsman would hardly consent to be lowered a hundred and fifty feet over the face of a Hebridean precipice, with the sea a thousand feet below, and nought but the sky and clamouring sea-fowl around—above.

Yet one adventure is fully as dangerous in reality as the other. Let but a sudden spasm, or syncope, attack the adventurer in the shaft, and if he loses hold of the rope, no power on earth can save him. The smooth hard sides of the shaft furnish no foot-hold, did the velocity acquired in falling not prevent him from making use of them. Down, down, he must fall until the end of the long cruel pit be

reached—and then, let those say who have ever assisted to raise a man who from carelessness, foul air, any one of the many accidents common to miners, has fallen down a deep shaft.

In this instance Cyrus was not fated to illustrate any of these dismal theories. Holding the rope easily with one hand, and occasionally preventing by adroit touch of foot against the sides of the shaft the rope from swinging round, and so discomposing his equilibrium, he passed swiftly yet surely down to the bottom level, and having exhausted his small supply of ill-temper, crept along a gallery running at right angles to the shaft, where, seizing a pick, he commenced to knock down on to the floor of the gallery a stratum of mixed sand, pebbles, and small quartz fragments. Of these there was a layer about nine inches thick in the roof of the gallery, or 'drive,' as it is invariably called in Australian mining parlance. He had dragged after him a large raw-hide bucket which he found in the bottom of the shaft. This he set up on end, and quickly filling, drew to the shaft and attached to the iron hook at the end of the rope by which he had descended. He then pulled twice a small line which hung down, almost

invisible, close by the wall of the shaft. This line moved a rude apparatus, in the nature of an indicator, at the mouth of the shaft. It was a hammer-like piece of hardwood above a plate of tin, on which, at each pull of the line, it smote smartly. The meaning of the percussion was, attention—all ready—or pull up, as the case might be. The old mare appeared to understand it, for she at once pricked up her ears, moved herself square to a single-tree by which her trace-chains were fastened, holding herself in readiness to draw.

'Go on, old woman,' said Joe Bulder, 'haul away.'

The intelligent animal, long trained to this particular kind of work, needed no further urging. Setting herself staunchly to the collar, she drew steadily at the rope, now tightened by the weight of the leathern bag, with, perhaps, a hundredweight and a half of gravel therein. She walked along the track made by her own feet, called by miners the 'horse walk,' its position being formally indicated by two lines of very hastily constructed rail fence, and drew the auriferous burden yet nearer to the upper air. When she reached the limit of the horse

walk, denoted merely by a sapling laid across two forked uprights, she stopped promptly, holding, however, the rope, and neither turning nor yet permitting it to slacken. At that moment the bucket appeared slightly above the brace at the shaft, and was taken by the topman, Joe Bulder, who, lifting it to one side, unhooked it and placed on the hook an empty bucket of the same construction, ready for the unpromising descent.

The lower portion of the rope is disconnected with the former one, and the mare being informed—one really does not see how—that her tenacity is no longer needed, complacently turns round and trots the whole way in, quite unaided, turning herself with great agility at the end, and disengaging the rope from her hind legs most cleverly. I then, in turn, take hold of the rope, place my foot in the leathern bucket, and go down slowly out of the sunshine in the humid darkness of the lower earth, with the prospect of eight hours' continuous work before me.

After all, it is not so hard to bear. We are, all four of us, in magnificent health and condition, 'fit to go for a man's life,' as Cyrus Yorke

says, which means that we are hardened by toil, trained down by exercise and regular diet, until very little improvement could have been made upon our condition, had we to run a match against time, fight bushrangers, or accomplish any of the feats of strength, speed, or endurance which men are foolish enough to attempt for cash or vainglory in the pride of early manhood.

We are gold miners, neither more nor less—diggers, as the more general term is. Such we have been for the last three or four years, during most of which time we have been together, sharing the same toils or privations, transient successes or protracted misfortunes. Joe Bulder and I have, of course, been associated since we left England together. The Major and Cyrus had by chance become mates in the colony of Victoria, where we first met them, and by the merest hazard joined forces with us. Since then we have journeyed together; quitted moderate goldfields where nothing more than an easy liberal livelihood was to be had for the stern hazards of a new rush, at a moment's notice. Here, 'dividing mates,' as the mining phrase is, one half of the party,

when times were bad, working at bush or other labour, in order to provide food and raiment, tools and lodging for the whole, while the other pair tried the mining ventures of the locality, on the chance of striking, at any moment, a fortune, small or great, to be loyally and equally divided into four parts.

That the Major, as he was always called, had been an officer in Her Majesty's army, and in the cavalry arm of the service, no one doubted for a moment who had been in his company, and who was capable of verifying the habitudes of an officer and a gentleman. To what regiment he had been attached, he did not think it apparently necessary to explain, nor did we at any time ask him. Such examples of reticence were innumerable 'on diggings.' Silence was generally observed as to people's antecedents; it being obvious that to go about questioning everybody as to what position he had originally occupied, and for what reasons he had concluded to adopt a miner's life, would have been altogether futile, besides being patently ridiculous and impertinent. And it will be conceded by all who have gained their experience upon Australian

goldfields, that for whatever sins diggers may be responsible, bad manners and lack of genuine courtesy cannot be reckoned among them.

The Major, a man of four or five and thirty, was in the full vigour of manhood. He had evidently seen a good deal of the world, and in many phases of society, though he habitually spoke little of himself and merely permitted such glimpses of his European experience to escape him half unconsciously. He was extremely fond of reading, and though by no means zealous in the performance of manual labour for its own sake, performed his quota efficiently enough. He and I, with Joe Bulder, usually shared one of the smaller tents. We took our meals in common. This might have been distressing under the circumstances. But Joe's and Cyrus Yorke's original habitudes had become so altered by the influence of travel and cultured association, that few of their superiors would have objected to their companionship on the warpath.

Mrs. Yorke and the two children had the cart, with its tilt and other accommodations, to themselves, and, indeed, this nomadic dwelling

was far from uncomfortable, with its divers and manifold contrivances for ease and comfort.

Does it occur to some, as yet unexpatriated, that the life I have roughly sketched was a dull, laborious, well-nigh unendurable existence, to be led by men who had the hereditary title to move in good society, nay, who had at one time of their lives shared that lesser Elysium? Was such the case, when added to the specific drawbacks was that of hopelessness as to the future, quickly subsiding to dull indifference? Let us calmly consider.

As a matter of fact, we were far from miserable. Indeed, if I assert that we were in a condition bordering upon absolute contentment, even happiness, incredible as it may appear, I should be nearer the mark. For consider, in the first place, miners are absolutely their own masters, perfectly independent, *quamdiu se bene gesserint*, utterly free from fealty to all but the Queen and the Commissioner. We were 'by many a league of ocean-foam' separated from Her Most Gracious Majesty, but the latter potentate was an abiding and highly vitalised fact.

I see him now. How many years have

rolled by! Yet I stand up and feel inclined to lift my hat, as if it were yesterday. An erect, stalwart, middle-aged man, sitting his wiry thoroughbred with careless ease, bold-visaged, eagle-eyed, with the stamp 'of ours' writ large, like our mate, the Major, on every movement of his body, on every expression of his face, on every trick of speech, as he calls to the half-dozen greyhounds that follow him through the camp, as if his thoughts dwelt more with them than with the crowding miners who press and throng to get a word of audience, a passing nod, or even a look of recognition from the autocrat of the goldfields.

And, in good sooth, Captain Blake, formerly of Her Majesty's 11th Hussars, was an autocrat by instinct, habit, education, and circumstance, if ever there was one upon God's earth. He it was, certainly, who more inexorably than the Roman Centurion was wont to say, 'Go here, or go there;' and to this man, 'Do this, and he doeth it.' For from his decision there was, at that time, no appeal. The Medes and Persians had apparently drawn up the scanty Goldfields' Regulations of that day. Crude and inapplicable to the multiform elaborate

complications of the mining industry, the largest discretionary power was implied. And William Devereux Blake, well known at many a mess-table in England and Ireland as the Devil's Own Billy Blake, was precisely the man to accept all the responsibility of the position. It would have crushed a weaker man. But with a clear head, an utterly fearless, perhaps aggressive, organisation, and a natural turn for acting as a leader and ruler of men, he had hitherto avoided misadventure in his consulship. Large were the issues with which he had to deal, and puzzling were the mining laws which he had to administer. A bold, ready, decisive manner sufficed to carry him through everything; and though occasional dissentients might object to his decisions as illogical, he was both highly popular and legally successful.

To him were daily submitted the numberless questions of mineral ownership which arose in such a community as ours; a gathering of men from every country under Heaven, where each, by chance or choice, had come to occupy, under certain written and unwritten laws, so limited a portion of the earth's surface that it

was measured by feet. Under it might be the hidden treasure, the reward of a lost youth—a ruined life—the mere rumour of which had brought the greater number of us so far over the main, across so many a weary mile of wood and wold.

To decide equitably and rapidly, to maintain unswervingly, and to enforce rigidly, the decisions arrived at after the hearing of such evidence as was forthcoming, required natural gifts which few men possessed. But 'Billy' Blake had been cast by Nature at his birth for the *rôle* of a chieftain, and most eminently qualified was he for the part which he was called upon to play.

At one time his decisions were given in the modest structure which served as the court-house, wherein were tried daily such offences as opposed the statute law of the land. At another they were delivered as he sat on horseback amid an angry crowd of a thousand excited men. But in no instance did the surroundings make the slightest difference in the despotic tone of utter finality which clothed them. Men spoke of his acts and words with bated breath. The Commissioner had 'decided' this or that point

of mining law. He had turned this man out of one of the richest claims on 'the field' and put another into possession of it—and a fortune. He had sentenced Towney Joe to six months' imprisonment with hard labour for stealing five shillings' worth of wash-dirt. He had threatened Red Dick that if he heard of his beating his wife again he should have twelve months within stone walls. He had told Ned White, upon that worthy making sarcastic reference to the Commissioner's uniform coat as a fortunate protection to the wearer, to put up his hands, and dismounting, had then and there so 'straightened' him 'inside of three rounds' that Ned hadn't a word to say for himself, and was ashamed to show his face for a fortnight afterwards.

On the other hand, when Jim Black's wife had come crying to him, saying her husband hadn't the price of a Miner's Right, and it was very hard because he knew where there was some good ground, and he dursn't put a pick in it, because any one with a 'Right' could take it away from him, he had sworn at Jim for a lazy blackguard, who was always trying to rob the Government, and declared, if he caught him

digging without a Miner's Right he would send him to gaol straightway, and then tossed a sovereign to the sobbing woman, telling her to take out a Miner's Right for her husband that very day, and to keep the balance for the children.

Every kind and variety of legend was current about the Commissioner. He was the ogre of the fairy tale, the good knight of the romances, the wicked baron of the middle ages, the pitiless official—all by turns.

The great pro-consul had been away on leave of absence when I and my comrades first came to Yatala; so we did not immediately meet. But daily so much and such extravagant reference was made to his acts and deeds, opinions and manners, that all unconsciously we looked forward, as did, apparently, the larger part of the population, to the momentous period when the Captain should come back.

In the meantime the interest of the dwellers and delvers of Yatala was divided by other social and official celebrities, some of whom were sufficiently characteristic.

Next to Zeus, the all-powerful, came the Inspector of Police, Mr. Merlin, an astute, fine-

edged, courteously combative personage, who always reminded me of a Toledo blade, habited in the dress of the period—an animated rapier (if such a type of humanity be consistent with natural laws): precisely that weapon and no other, being difficult to confront, to evade, to handle, or even to hold scabbardless; only really innocuous when securely sheathed and placed on the shelf. There was little overt aggressiveness about him. He was the least egotistical of men, inasmuch as whatever ideas of superiority to his surroundings he might have cherished, he rarely expressed them. The exploits and adventures of which he may have been the hero he never narrated. Accomplishments he may have possessed, and did in several notably excel, but he never alluded to them. His reserve was impenetrable; his caustic though courteous manner invariably the same. Yet few there were of the Yatala community who did not acknowledge pleasure in his society, coupled with a slight infusion of fear. There was an involuntary dread among the miners in his presence, lest he might rake up from the limbo of forgotten sins some deeply compromising charge. Men respected him, liked him,

but, above everything, they feared him; and in consequence of this peculiar feeling he could walk through a crowd of five thousand men and bear off a prisoner (if necessary) like a hawk appropriating a pigeon from a dovecot.

To him was chiefly owing what few British-born people could have realised without actual personal knowledge, the extraordinary state of order and good government which prevailed in our singular community. There was the utmost personal freedom and independence, as enjoyed in all Her Majesty's colonies, without lawlessness or licence. The reckless bullies of the Californian mining towns were as impossible here as Griffins and Enchanters. The great crowd of waifs and strays was sufficiently intelligent to know the laws, and apparently had reached a moral standard sufficiently high to obey them, and to yield uncomplainingly.

Our life, albeit so far unsuccessful, laborious, and monotonous, as some might have termed it, was not necessarily dull. Let it be remembered that we had the magician Youth on our side. Thus it rarely lacked interest, variety, even enjoyment.

For was not the population itself one cease-

less, never-ending mine of observation? An unending wonder-book to him who had eyes to see and ears to hear, who, moreover, possessed the key to the cipher, and so read much that was sealed and closely locked to others.

Who were the men, the women, evidently gently born and nurtured, some of whom were daily encountered, performing the humblest tasks amid the rudest surroundings? Was there not material for scores of romances in this privilege of companionship with them, which was our daily common lot?

When some careless miner, or even a half-tamed bushman or ordinary labourer turned digger, suddenly unearthed gold which would have almost sufficed for a king's ransom, was there not novelty and romance in this? in beholding the human grub swiftly metamorphosed into the butterfly — sometimes awkwardly fluttering amid his brilliant juniors, at other times soaring with adjustable wing, as if born to the inheritance of air and light?

For the rest, albeit that our lot was that of daily labour, it was such a measure of exertion as came easily within the scope of the strong sinews and muscles of youth. There was in it

nothing undignified, and the possible triumph at any given hour of any day glorified the drudgery which might, nay, daily did, for some comrade or other, end in splendour undreamed of and dazzling.

Our habitudes, maugre the daily labour, were distinctly those of gentlemen. The Major and I rose from our plain pallets to bathe in the neighbouring streamlet, or to 'tub' if such watercourse was not within reach, as regularly as when we lived in England. Our working clothes were of necessity plain and coarse, but the work over, or the holiday afternoon having arrived, on which all miners, however good their 'prospects,' make a rule of declining work, our dress was not widely different from what it would have been in a country town in England. Let all idea of long-haired unkempt ruggedness be rejected as the vogue of Australian miners. Even Joe and Cyrus wore their hair clipped to a most soldierly shortness of staple, as, indeed — barbers abounding, and doing a most lucrative business—do by far the greater majority of the miners everywhere.

I had, of course, arrived in Australia

believing that I had only to establish myself upon any known and accredited goldfield to unearth a fortune without delay. Even in unknown and non-accredited regions I had visions of miraculous finds; visions of ledges of gold-bearing rock and nugget-strewed gravel floated before my eyes waking and sleeping. My limited knowledge of geology was pressed into the service of my imagination. I knew, of course, the leading formations in which gold chiefly occurred. Such knowledge would surely aid me in the discovery which was to mean home and friends and native land now rapturously regained, with the angel of my dreams, radiant at my return, as her celestial prototype.

Soon after I had fairly commenced my practical course of fortune-digging these flattering hopes vanished. I found gold-mining to be like any other profession, composed mainly of hard and unrelieved drudgery. A living was certainly to be made by it in a general way, barring accidents, sickness, or exceptional bad luck. The prizes were tangible and patent. But like those of all professions, or even lotteries, they were so few and far between, as

merely to suffice to stimulate the crowd of unsuccessful toilers, who wore out their lives, their hopes, their strength, not unfrequently their morals and reputations, in the delusive quest.

Among the miners, though the community comprises and ever will comprise some of the best and noblest examples of manhood, were many who had suffered grievously from rude association and the corroding effects of disappointment. These men had accepted their destiny. They were life-long miners. The salvation of an exceptional find could alone restore them to the social surroundings they had once and for ever quitted. Working patiently while need was, they had lost the power to resist the temptation to spend in aimless dissipation the temporary gains which from time to time they secured. 'A good rise' was the signal for a week's revelry. Debts were paid; all necessary repairs to the mining requisites made. The remainder of the money received for their gold was wasted in excess.

In a few weeks the ex-foreign office clerk or university graduate was to be seen with a serge

shirt and clay-stained clothes, patiently sinking, driving, sluicing, or reefing, as the case might be—as fixed to his endless search as though he had been a gnome imprisoned in the depths of the treasure mountains of the Hartz.

We did not take Cyrus's advice. It would, financially, have been better for us if we had. But, of course, that could not be foreseen. If we knew for a certainty where the gold was not, we should probably be able to point unerringly to where it was, which would lead to the most astounding results, especially if the knowledge was disseminated simultaneously. The evil of this universal promulgation of knowledge was exemplified in the following digging episode.

Every one knows—that is, every one who has been a few years on a goldfield and carefully read up the regulations, omitting those which have been repealed, from time to time—that when a 'frontage claim' is blocked off, that is, marked off as a permanent parallelogram, instead of being a 'chose in action,' or progressively developing mining tenement, any one can take up or seize upon the 'block off it,' or desirable section of land outside of the said

frontage claim, by simply putting in four pegs before any one else.

Now the frontage claim or section upon the lead, or ancient river-bed, was known to be rich because it had been worked, the gold extracted and turned into cash fortnightly, so that a very fair notion could be gathered of its richness. As, however, the shareholders were limited to an allotment of two hundred and forty feet in length, being at the rate of forty feet a man, along the course of the lead, it followed that the 'block,' or so much of the auriferous stratum as lay outside of this two hundred and forty feet by three hundred, would be tolerably rich also. The shareholders in the claim I allude to, No. 5 Sinbad's Valley, had made £8000 a man (there were six of them) in less than as many months. This I know of my own knowledge, and can prove if required. One of them was a Cornishman. Just before the claim was worked out he said to me—

'Harry, what do you think? I'm going home to Trevenna on Monday.'

'Are you, Cousin Jack?' said I. 'I think you're a wise man. Have you written to tell them all?'

'Not a line,' said he. 'They think I'm dead or lost. How they'll stare! I don't think any of 'em ever saw a ten pound note in their lives. To-morrow's the last day's work as I shall do. Go by the coach Monday, and off by the overland mail steamer as sails from Sydney on Thursday next. Won't that be a holiday trip, eh, mate?'

'It will, indeed,' said I, rather regretfully, and, I am afraid, envying the poor fellow in my heart.

He was right. The next day *was the last day on which* he ever worked; but not in the sense in which he intended it. In lifting a heavy petrified fossil tree-trunk which the waters of that long-buried primeval stream had rolled down its golden sands, he overstrained himself. On Sunday night he was a corpse; and on Monday, the very day he was to have taken the first stage of his trip home, we followed him to his long home, in the spacious newly-enclosed cemetery, already commencing to be thickly sprinkled with newly-dug graves. Later on I saw the cheque for seven thousand some hundreds of pounds (less expenses and the Curator of Intestate Estates' fees), which

was remitted to the relatives in curious, old-fashioned, steep-streeted, pebble-paved Trevenna.

Well, the adjacent lot to the highly-satisfactory 'golden-hole claim,' as the miners phrased it, was to be had for the pegging-out first. The pegging-out, that is, the placing of four stout sticks, one at each corner, was easy enough. It was the 'first' business, the priority, which was difficult, if not impossible, of attainment.

The whole field was aware that at some time, not earlier than six o'clock A.M. on a certain morning, the shareholders of No. 5 Sinbad's Valley would mark out their claim for good and all. *One second* after which operation any alert persons might put in four pegs, one at each corner of the coveted adjoining block claim, and so hold the ground.

On the night before the battle, five hundred men, by curious coincidence, bivouacked on the ground, each man with a sharpened stick and gold-sharpened determination to secure a corner of the Aladdin-glorious treasure-chamber.

Precisely as the dawn's fresh pearly gray succeeded the misty cloud-wrack of the waning

night, four shareholders of the frontage claim suddenly appeared with prepared stakes and marked out their carefully-measured earth-portion, none daring to interfere with them; but the instant that their task was completed there was a rush like the advanced guard of a charging regiment of grenadiers. The confusion which resulted defies description.

At each corner of the coveted block stood a couple of score of men, each wildly and frantically endeavouring to place his particular stake as near two of the frontage pegs as possible, and as accurately opposite and the regular distance. Men fought and struggled, cursed and struck and fell, as each raised high his stake or peg and strove to hammer it in securely. A few intimate friends or joint-operators with the frontage party were seen to appear on the scene suddenly, only a few minutes after the marking-off and essay to occupy. These were usually supposed to have 'the office,' or special information from the shareholders, and to 'stand in' with them; but these in their turn were swept forward and over in the mad rush of the eager crowd. For five minutes indescribably wild confusion prevailed. Then the crowd

sullenly parted. Certain pegs and stakes were seen planted, sheaf-like, in each corner, and the 'blocking-off of No. 5 Sinbad' was over. The result of this attempt to symbolise priority of occupation, by means of pegs or stakes, possibly among the most ancient landmarks, has been accurately retained by the photographic art. 'The apparatus can't lie,' and a wandering artist, of that persuasion, attended the performance and faithfully reproduced both the pegs and their owners.

Mr. Commissioner Blake had no easy task, it will be seen. He was only required, in the exercise of his duty, to take evidence and decide as to which four pegs had been placed in the corners of the block-claim off No. 5, first after the shareholders of No. 5, and, having decided, to place those persons to whom the pegs belonged in possession of the claim.

He did what he could. He rode down to the place attended by two troopers and a dozen dogs, and narrowly inspected the pegs. He even counted them, making one hundred and sixty-two in all.

'Who put in the first peg in the north-east corner?' he demanded.

'I did.'

'No, I did; 'twas me, Captain.'

'Me plenty plant 'm that one waddy,' said a civilised aboriginal.

'I put in first peg, Massa, sure as there's snakes in Virginny,' sang out old man Ned.

'No, no, my peg; I thrust it in with this meri,' yells Maori Jack, brandishing his war-club, and showing his sharpened anthropophagic teeth.

'C'est le mien, c'est le mien, sacrés cochons que vous êtes, sortons,' grinds out a Frenchman.

'Das ist mein numero ein—ein—ein,' growls a German, 'haben sie der fader gesehn? er ist todten—spitzbuben—Donner un' blitzen.'

'Where are you shovin' to?' grumbles a —— but no, it is unnecessary to specify the nationality of the last speaker; 'd—n you all, you may take my share, if we ever reach within a hundred mile of Wingadee agin. I'm full up of these here blank diggings. Let me get out of this blank crowd. Call this digging? I say it's wild cattle meeting. I'll cut it while the play is good.'

'D—n the whole lot of you,' roars out the

irascible Commissioner, charging right among the excited crowd. Why the blazes didn't you come and have it out earlier in the day? Get home, all of you, and mind that not a soul stirs the surface till I give leave. How the devil am I to tell who is the first man? I know no more than Adam. But, anyhow, I shall reserve judgment until to-morrow morning. Come up to the camp at ten o'clock and I will there and then deliver my decision. In the meantime, no one touches the ground with axe, shovel, or pick, or I shall know the reason why.'

On the following morning, as the Commissioner sat in his office, a small building, with a room for himself and one for his clerk, a back-room and a passage, a large crowd gradually collected before the door. At ten o'clock precisely the office door was thrown open, and the Commissioner's clerk, standing therein, informed the crowd that the Captain was inside, and would receive the names of every man who had put in a peg in the block off No. 5 Sinbad's Valley.

His orders were these. Each applicant was to enter the passage by the back door. As he passed through, his name would be taken down

on a slip of paper by him, the clerk, and placed in a ballot-box, to be dealt with by the Commissioner afterwards according to his sovereign will and pleasure. A cheer was given as this announcement was made, and a string of men commenced to pass through the back door and out of the front, leaving their names in the course of transit. In half an hour all was completed. A hundred and sixty men, forty applicants for each peg, for *only four men could be shareholders*, awaited the fiat of the Commissioner. At a respectful distance a motley crowd of three or four times the number regarded them attentively.

This being completed, the Captain appeared at the doorway, and, amid loud cheering, commenced a brief oration. He said that he had given this particular case great consideration, that the confusion which had occurred was in consequence of the Government having framed some new regulations without submitting them to the Commissioners. This one in particular—with regard to frontage-block claims—was a d—d stupid one, it seemed to him. He had no hesitation in saying so [loud cheering]; but however that might be, it was *the law*! And,

of course, he would take care that it was rigidly obeyed.

He would now proceed to select the names of the four men to whom he should adjudge the ownership of the block off No. 5. He should do it by lot, as they would agree it was totally impossible to sift the evidence or arrive at any conclusion by ordinary methods, in the case of a hundred and sixty pegs, all put down about the same time. He was not going to try, at any rate.

'Mr. Watkins' (this to the clerk), 'would you please to bring forward the ballot-box. I turn away my head and select this ticket at random; [reading] it contains the name of James Grant. The second, taken out similarly, is Patrick Mahony. The third is that of—a—Ewen Campbell. And the fourth is that of—a—John Smith. I hereby adjudge these four men to be the legal occupiers and shareholders of the block off No. 5 Sinbad's Valley. God save the Queen!'

The crowd cheered. The one hundred and fifty-six disappointed claimants said never a word, and the four men named received peaceable possession of the claim, which turned out

a very rich one, and which they worked out to the last ounce. One man, whom I saw afterwards, bought a snug farm with his share of the gold; and I visited him in a neat freestone cottage which he had erected.

CHAPTER IV

We worked hard, doggedly, persistently, and yet all was unavailing.

We 'hung on,' as the miners said, to our claim, driving and delving with pick and shovel, through the long hot days, or in the silent dark cold nights. No luck, no gold. Having no money was not the worst of it. Our balance on the wrong side had run up with the storekeeper, who trusted us to considerably over a hundred pounds. A large sum, when it is considered that our assets were almost nil, or such as, if sold, would have made a very slight impression on the account.

We became unhappy and despondent, more especially Cyrus Yorke, whose 'I told you so from the beginning' was daily more aggressive and hard to bear. Our storekeeper friend, John Mangrove, did not seem to care so much. He

had 'followed the diggings' for many a year. He and his smart, bustling, business-like wife were quite used to giving fabulous amounts of credit, to what they termed 'an honest crowd,' meaning a party of men who might be relied upon to pay when their luck turned. Mrs. Mangrove, indeed, laughed at our undiggerlike despondency when we came up one Saturday night and vowed we would not take some beef and flour for our married mate, having no money, and having that morning decided to 'jack up' or thoroughly abandon work at our present claim.

'We must go and fossick for a bit now,' I said, 'just for enough to make the pot boil; but we won't take any more of your "tucker," Mrs. Mangrove, without paying.'

'Bother the paying!' said the buxom, cheery woman, 'we shall get our money some time or other; but how are you and the Major to fossick, or anything else, without a scrap to eat? You must and shall take your rations till times mend. Luck always turns if you stick to your fight like men. Don't tell me you're down in the mouth. You've got to work till you make a "rise," for my sake, and how can you work without tucker?'

'All right, Mrs. Mangrove,' said the Major; 'you know what is good for us. We are your boys, you know. Can't you lay us on to anything?'

'Well, as you're good boys, I don't mind letting you hear of a little whisper I caught this morning of a rush out at the Eight Mile, that they say is going to be a regular fizzer. It is called "The Last Stake," and there are only half a dozen claims marked out. You'd be in time to-morrow morning early. I saw some awfully rich specimens that Tim Daly had.'

'Specimens are deceptive,' I say; 'but we will mark out four men's ground there to-morrow, only two need work till it's payable. Cyrus and Joe will go splitting or fencing until times improve a bit to pay the tucker-bill.'

'All right,' said Mrs. Mangrove, 'nothing like facing it. My old man and me was down to half-a-crown, and hardly a pair of boots between us once at Eaglehawk; but we dropped on to a shallow patch, and I puddled it in a wash-tub, didn't I, John? We made eighty pound out of that patch in two days.'

'You was allers a good 'un to work at a

pinch, I will say that,' growled John, 'though your tongue do run a bit fast sometimes.'

'If I didn't do a bit of blowing we might shut up shop,' she answered; 'you know that very well, Master John. Here, Harry, take this bottle of whisky with you; you and the Major want something besides tea just now. You're looking dreadful thin of late, and you'll be laid up with the fever if you don't mind. Give that Mrs. Yorke of yours a sip, it won't hurt her, a small drop. She's got a precious soft-headed husband, I can see.'

'You see a many things,' said John; 'can you see it's past twelve o'clock? the sergeant'll be turning everybody out directly. I shall shut up. Good-night, mates.'

After this interesting colloquy, by which we felt much cheered and invigorated, we went home and indulged in a glass of whisky punch each, which did not demoralise us much, not having touched anything for a month previously. We also insisted upon Mrs. Yorke joining us; she and Cyrus had not gone to bed. So we drank success to our next start, and slept very soundly afterwards.

The stars were in the sky when the Major

and I quietly arose and wended our way out to the locale of The Last Stake Quartz Reef, alluded to by Mrs. Mangrove, and walking the four miles briskly, reached it soon after daylight. Early as was the hour, others were there bound upon the same errand. We could see where the ledge of white silicate rock had been bared and workings commenced with a view of following it down. Carefully noticing the direction of the reef, we placed our two pegs, denoting two hundred feet in length along the line of the reef, and giving a title to the full width of one hundred yards on each side of the base line, whatever that might be. Once so placed, if only a minute before the next coming, this act constituted a perfect mining title to all gold within such defined boundaries. The law allowed three days' grace for occupation and efficient work to take place. If such work were not commenced within three days, any other miners might summarily take possession of or 'jump' the claim. Wending our way back to breakfast, there being no necessity to take any other measures at present, we explained the position of affairs to our fellow-shareholders. I took the initiative from habit,

and laid great stress on Mrs. Mangrove's kindness, which had enabled us to begin again in a respectable and promising manner, instead of having to take to fossicking like so many 'hatters'—solitary miners. Both the Major and I considered The Last Stake Reef to look like 'a good show;' but there were expenses and of course food for the whole party. These we should not get out of the reef for some time. And we were all averse to sponging on kind Mr. Mangrove more than we could help. I therefore proposed that Cyrus and Joe should take a job of bush work, the wages of which—such labour being very well paid just then—would suffice to placate the butcher and baker for the whole party, until the reef turned payable, which it was pretty sure to do. If not, we were only where we were before.

'That'll do,' said Joe; 'I was just a-longing like for a bit of farm work this fine sharp weather. I ha' had such a spell of driving that I'm regular cramped. It was pretty wet down there, too, and I'm afeared of the rheumatiz. I saw Mr. Banks this morning, and he offered Cyrus and me half a mile of fencing at good prices.'

'They just was good prices,' said Cyrus; 'I only wish I could have tumbled across 'em down the country, I'd never have come digging —would I, little woman?'

'I'm sure I don't know, Cyrus,' she said, 'you were never very contented, and if you hadn't come here, you'd have gone somewheres else. But I *do* hope we'll make a rise on this reef. We've been lower lately than ever I remember since the party was a party.'

'We should have been lower down still, Mrs. Yorke,' said the Major, 'if it had not been for these capital scones of yours, and the way your good cookery saves the rations. I suppose it's because Cyrus has such a tremendous appetite that you were first driven to economise by method and high art.'

'If I've got a good twist, I can do a day's work,' said the Hawkesbury giant, opening his chest and raising his great arms. 'But we'd better get away, Joe, and see Mr. Banks about this fencing. I'd be sorry if he let it to any other chaps. The Major and Harry can begin and rig their stage at the reef. I don't think much of reefs. I believe in the alluvial myself.'

Then it was all settled. Next day we had cut our logs, rigged our stage and windlass, and were soon 'sinking for the reef,' which, whether volatilised from a lower chemical centre or laterally secreted, was not visible on the surface where we had put down our pegs.

In a few days we 'struck it,' followed it down, discovered small specks of gold almost invisible to the naked eye, and at the first crushing were rewarded with a handsome dividend.

We thought our fortunes were made; we put on two wages-men, and worked with renewed energy. The next, and the next, dividends were good; but one dreadful day it became apparent that the reef had 'pinched out,' become gradually smaller and more difficult to find. Finally, it disappeared altogether.

There was the alternative of sinking perhaps another hundred or two hundred feet, on the chance of its being struck at a greater depth, and 'carrying the gold better as it went deeper.' But this style of operation was only suited for men with capital. We resolved not to risk the little we had.

Altogether we got about a thousand pounds for our share of the gold in little more than

two months. That, of course, was not so bad. Out of this the claim was in debt to Mr. Mangrove about two hundred and fifty pounds, which was religiously paid up at once, thus leaving nearly two hundred pounds per man. Each, probably, had some few personal and private debts, which had to be liquidated. A certain refitting of wardrobes was imperative; other matters, too, had become attenuated during our longish term of ill-luck. A few presents to friends who had sympathised with us in our distress were also thought suitable. Eventually, the experienced goldfield's resident will have no difficulty in understanding that forty or fifty pounds each was about the outside amount which remained in our pockets, after a week's holiday and final settlement of affairs.

This statement but too often correctly describes the course of a miner's life even when there is no overt dissipation. His very virtues, his truthfulness, energy, and good faith aid him in extravagance, so to speak, for they enlarge his facilities for credit, which are so elastic while health and strength last that he can get as deeply into debt as he pleases.

When he *does* meet with a fair slice of luck, such as I have referred to, the greater part of his gains are swept away in repayment, while the balance remaining is so small that, to his easy mind, it seems hardly worth saving. 'Plenty more where that came from' is the most popular mining motto, which is true enough in a sense, but not always easy to reduce to practical application.

I had seen and encountered so much in my own person of this tantalising see-saw of apparent prosperity and real poverty that I had insensibly commenced to be drawn into the fatal vortex of indifferentism which is so apt to characterise the habitual miner, from whatever class originally drawn. I was beginning to be satisfied with the periodical intervals of ease and comparative luxury, to be more and more incapable of making any sustained effort to free myself from rude and unworthy surroundings. The fortune which I had hoped for, how much more accurately could I now gauge the slender probability of my winning it! The return to dear England, the union with my long-cherished darling, the transfigured angel of my dreams. How much

more nearly this approached, with every flying minute, to the faint hopes of Heaven, and misty realisations of eternal bliss which visit the average believer!

In my despondent moods, when after weeks of severe labour the end seemed no nearer, I allowed my spirits to droop to the lowest depths of despair. Why had I ever permitted my thoughts to range to such mad impossibilities? Had aught but the insane heedlessness of youth caused my fancy to soar so high, only to fall with more stunning shock? Was there the most distant hope of my ever realising ten or twenty thousand pounds by ordinary mining, with which to present myself in the course of the coming year to the Squire, and to claim the ecstatic reward? Midsummer, moonstruck madness the whole! No greater expectation, truly, as it *now* appeared to me, was there than if I were engaged in digging potatoes.

And yet such prizes *were* to be had, and did occasionally, at Yatala, fall to the grasp of the lucky—chiefly undeserving adventurers.

While I was in this undecided and, above all, agonising state of mind, I received a letter from Ruth. We had not been forbidden, in so

many words, to correspond, but it had been explained to me by the Squire that while matters remained in such an extremely uncertain and precarious state, he thought I should agree with him that a regular correspondence would be inconsistent, etc., that, of course, he left it to me, and so on. The consequence of which was that, appreciating his consideration, I refrained from pouring out my heart as I otherwise should have done, and merely wrote, from time to time, certain matter-of-fact epistles. In them I stated my plans, described my place of residence, and gave my reasons for expecting good things in the way of gold discovery.

The hue of despair which had commenced to pervade my life of late had commenced to tinge my letters, doubtless, and so awakened a feeling of irrepressible tenderness and compassion in that dear heart that knew but one deep, still-flowing current of self-sacrificing love. Whatever the cause, I one day received from Mrs. Mangrove, who also officiated as postmistress, amid her other multifarious avocations, a letter, bearing the delicate characters so indelibly traced upon my heart.

'A letter from home, Harry, English post-mark, come from your sister, your mammy, or your sweetheart. Don't be angry now; if you'll give me the address, I'll write and tell her what a good boy you are. Not like some of the swells here, who are the biggest rapscallions out, instead of setting a good example to us poor ignorant lower-class mullocks, eh, John?'

'What are you blowin' about now, old gal?' said the sententious John, removing the pipe from his mouth. 'I don't know about "mullock." God made all men free and equal, and though anybody can see as Harry and the Major are regular right-down swells, and so far and away ahead of us, what does Bobbie Burns say—"Who hangs his head for honest poverty"—and settera?'

'Come, you're not so poor, nor over and above honest either, John,' retorted his better half—'that is, if you get a chance, and was dead sure of not being bowled out. It's I that knows you—still there's worse on the diggings. And now, here's your letter, Harry, and if you'd like to step into my back parlour and read it in comfort—there's no one in there,

nor won't be till the Mildorah mail comes in. Take your beer with you.'

I accepted the offer of my worthy friend and banker; so, sitting down upon the sofa and locking the door, I abandoned myself thoroughly to the half-painful thrill of memory ere I commenced to translate into half-whispered speech the loved and familiar characters.

Ere I opened the letter I gazed long upon the fateful scroll. How much of my former life came back to me; how sharp the contrast appeared with my present existence! I saw myself as I once was, how differently lodged and tended! The old Court, with its look of immemorial stateliness and reposeful comfort that now seemed luxury undreamed of, more than half forgotten in the rude surroundings to which I had insensibly adapted myself. And amid them my lot was fated to be cast, for how many years yet? for my lifetime it might well be! for how could I endure to return an unsuccessful, disappointed man—I that had so obstinately severed the links that bound me to the home of my youth, the position to which I had been born? I had seen men as gently nurtured, better educated, ay, with far

higher attainments, after brave battling with hopeless odds, sink gradually year by year, yet more deeply into the slough of low companionship and sensual indulgence. They had despaired of ever returning to the dim, far-off world of their lost heritage; had been contented thus to wear out the days of a despised, self-contemning existence. If such things happened to them, why not to me? I was alone. My long pent-up dread of the worst for a moment overpowered me. I leaned my head upon my hands before the unread letter, and the hot tears, never before shed since childhood, rained down upon the tawdry table-cover.

The unwonted passion aroused me. I brushed the evidences of weakness from my eyes, and, rising to my sense of manhood, raised the precious evidence of woman's fidelity. I well knew what tender assurance I should find of fondly-cherished, brightly-burning love—unalterable faith, unswerving holy confidence. Yet, how many instances had I known where men, having trusted as deeply and loyally, had been heartlessly deceived. I had watched life-wrecks which had

dated from the receipt of just such another letter in outward seeming. They, with delicate, deadly strokes, had yet rung the knell of hope—of faith in woman's sacred truth. Such was not to be my doom, whatever else the Fates, which I had commenced to dread, might have in store for Hereward Pole. How I drank in the sweet sense of the precious, priceless symbols—thus dumbly that spake—

'My own dearest, ever dearest Hereward—Your last letter, written from Yatala, roused me from a fit of depression which had crept over me, I hardly know why; perhaps, from its being so long since I had received one. I re-read it before I could do more than gather that you were well, and still bravely striving to discover that terrible, delusive gold, which seems to be such a will-o'-the-wisp—in spite of the golden tales which come by every mail from your far land. I was unspeakably cheered by this bare knowledge, and shall never fear gloomy presentiments again. But I had had so many. I read—for I read all the papers I can get hold of from Australia—about terrible mining accidents, till I was half unconsciously in the habit of connecting my beloved with the dangers and the deaths that seemed so common, and little regarded. I pictured you suddenly overwhelmed by a fall of earth in your subterranean abode, sometimes blown up by an explosion, like those awful ones in coal mines. What a dreadful one was that in Wales the other day! We happened to be at Llanberis, for a change for poor mother, who has been ailing lately. I went down and saw the poor women, whose sons and husbands, brothers

and (alas!) lovers, had been reft from them in an instant. How many forms of grief were there! Now, *I* could sympathise with them, unlike many who merely viewed it as one of the far-away calamities that we read or hear of, and turn from to the next excitement or frivolous pleasure. My aching heart found some relief in aiding and comforting those whom I could reach. I felt in a strange way cheered and lightened when my task was done. But oh, how unspeakable was the relief when I saw your dear handwriting again, and knew that you were safe and strong and hopeful as ever, though, so far, unsuccessful!

'Then, as I, for the sixth time, devoured your letter, I discovered a desponding tone in your expressions, that I had never before noticed. You did not speak with your old gallant disregard of present ill-luck, and hope for future fortune, as you used to do. My woman's quickness divined a kind of dull resignation setting in; a more than usual dwelling upon your rashness in quitting England, joined to a deeper regret for having, as you say, induced me "to link my life with that of a beggar and an exile—to forfeit the paradise of my childhood's home for the accursed outer-world of labour and privation, which would be my portion if I followed you."

'All this, dearest, I look upon as sinful disbelief in God's goodness; besides which, to speak of an infinitely less worthy matter, it is very wicked of you to doubt my love. That you possess "once and for ever." It may not be all that you fondly fancy, but such as it is, it is yours—all yours—while life lasts, and beyond the grave, if there we retain the feelings which animate our souls on earth. Perhaps I am saying more than I could ever express if we were nearer, but, separated by so vast a distance, we may be doomed never again to hear each other's voices, and I feel

as if I must give expression to every thought of my heart, lest you might die and never know how its every pulse beats for you.

'After seeing the stony despair of some of these poor women's faces at Pent-y-Glas; after hearing their dreadful agonising shrieks, as one after another of the dead miners was carried up from the pit-mouth and laid in his cottage; after witnessing the frantic delight with which the rescued were welcomed back to life, joy that sometimes threatened like to death, you must pardon me for believing mere want of success to be a small thing in true lovers' eyes, compared with those ghastly realities.

'Want of success, indeed! Why, what does it mean, that my high-hearted Hereward should not look it in the face, and frown it down, as of old? Have you not life, and love, and health, and strength? that stalwart form? that steady eye? When these fail, it will be time enough to despond, to retract, to despair, to lose faith in God and man.

'But you will do none of these, my own darling. You will still work; you will still pray. Remember that there is another year, yet untried, before us, during which the reward of all your long labour and heroic self-denial may be found. My prayers may be answered, and your work, which, according to the good old monkish legend, is also prayer, because done in a good spirit, will bring its reward. Keep up your heart for both our sakes—for the love's sake which is your Ruth's life. When that time is finished, come home to the old land, and be sure, if you can quell that stubborn pride of yours—do I not love you the better for it?—my dear old father will welcome you as a son. But if you will not or cannot come, I will never upbraid you, and more—so prepare yourself—no power on earth shall then

keep me from coming to you, to follow your steps in weal or woe, so long as we both shall live.

'I have written you a woman's letter. It is the longest I ever sent. But I did feel so lonely and wretched. It has eased my heart. Would that it could lighten yours; perhaps it may. God keep and bless you, my own beloved.—Yours ever, in weal or woe, in the old world or the new, RUTH ALLERTON.'

I rose from the perusal of the heaven-sent letter an altered man. I pressed it to my lips, to my heart. Then I vowed silently, yet solemnly, to God, to work and deny myself from aught but needful rest and sustenance, until the time was expired, for her sweet sake—the best, the tenderest, the truest of mortal women, for her sweet sake—the angel that had stirred the dreary pool of doubt. I was healed; of that I had no doubt. Should I ever be suffered to thank her by my life?

'My word! I'll go bail there was a bank draft in that letter,' said Mrs. Mangrove, coming in suddenly; 'you look so cheered up by it. Must be good news, or something like it. I thought you were going to jack up at the claim when you came in, or had got the fever, or something. But now you look like a different chap altogether.'

'I am a different man,' I said. 'I believe my luck's going to change, Mrs. Mangrove; and if you and John will always back us right out, I believe we shall make our pile yet, and you will have a slice of it.'

'Never mind that,' said the good-natured dame. 'If you take all your stores from us, and pay your bill, that'll be enough for John and me. Our profits are pretty smart. We only want to get our goods off. But you and the Major and your other mates, you're a good crowd to work; I will say that for you. Stick to those new prospectors. There's something in that lead, I'll go bail. There's no fear but what you'll drop on to it by-and-by. John and I ain't afraid to speculate a hundred or two; we've not followed the diggings five years next Christmas to be afraid of giving a bit of credit to rale out-and-out good working men. No, nor five hundred at the back o' that; you're right for anything you want, tools, expenses, powder and fuse, as long as we last out. Now, you'd better have a whisky, and get home before the moon sets. Those holes is nasty things to be walking through when it's dark.'

I declined the refreshment, but thanked the

generous-hearted creature with a warmth that made her and her husband exhibit signs of distress. I then made off down the brightly-lighted street, and following a narrow but well-worn track which threaded the hundreds of shafts, wide, dark-mouthed in the moonlight, like silent monsters watching for their prey, soon reached the somewhat isolated spot, where our tiny camp was situated.

My mates were all asleep. I was not sorry for that. I was so filled with the deep pervading excitement which the reading of my thrice-blessed letter had caused in me, that I should have with difficulty compelled myself to interchange the ordinary courtesies of conversation. I was as a man who had found a huge and hidden treasure. I could no longer concern myself with the poor coins and cares of daily life, until I had had time to reflect upon my joy and good fortune.

'How good, how pure she is! what more than mortal fidelity has marked my Ruth's conduct!' I thought, as I lay down on my humble couch. 'How many girls in her position would have caught at the first excuse to free themselves from an engagement that must involve poverty

and privation—that might even end in exile; and yet she had kept her faith, had been true to the vow made on the well-remembered terrace, as we stood looking over woodland vales. How had I deserved such fidelity? Still, there was something in a man's strength, a man's hope and struggle for success. She should have her reward, if a single-handed swordsman could hew his way to success and glory. There was a year of the precious granted time to spare now. Perhaps the casuarina might not have changed her gloomy filamental raiment once more before the tide would have turned—the fulfilment would have been 'assured.'

The next day was Sunday. The Major and Joe had been on the night-shift; I had, therefore, all the day before me to dream over my last found happiness, to permit my mind to wander over the past, to hope and resolve for the future. No mining, no work of any sort, was carried on on the Sabbath at Yatala. An utterly unbroken stillness reigned over the whole strangely assorted camp on the sacred day. In some countries such would not have been the case; men would have pleased themselves as to the course they took. But here, the whole

sentiment of the place was as distinctly English as if the concourse of adventurers had been located in Surrey or Kent. The Australian colonies are not only in many ways contented to be English in act, manner, and thought. They *are* the English of a century back in many, in perhaps the highest embodiments of the national character. And there was no more thought in Yatala of Sunday work, or openly-avowed Sunday dissipation, than of a carnival in Glasgow. Moreover, such labour was against the law of the land, which, as I before remarked, was by no means suffered to remain a dead letter at Yatala. Under 29 Carolus II. c. vii. sec. 7, an information would have been laid by the sergeant with exceeding promptitude ; and the fine would have followed with mathematical precision of effect after cause.

CHAPTER V

Next day being Sunday, we breakfasted late, and by no means uncomfortably. When miners are provided with provisions at all, they are good of their kind. Fresh beefsteaks, grilled to perfection, and served up hot by our miraculous cook and good fairy Mrs. Yorke, baker's bread (there were five tradesmen of the craft in Yatala), fresh butter, and new laid eggs, with hot coffee, were all forthcoming. We had previously performed our ablutions and dressed ourselves with a trifling amount of extra care. The Major and I messed together in our weather-tight abode, wherein was a small extemporised table. Cyrus Yorke, his wife, and Joe Bulder had their meal at the family tent.

'Well, Pole,' said the Major, 'what was the result of your business interview with Mrs. Mangrove? Is she going to sell us up at the

end of the month, or have you blarneyed her into another excursion towards the Insolvent Court?'

'She is a brick,' I returned, 'and John is not a bad fellow either. They have promised to back us until Christmas. After that we must take our chance.'

'By Jove!' said my friend, 'she is a tower of Shinar, in the brick line; a regular goldfield's guardian angel—a tutelar divinity! I don't know what all! We shall strike the gutter yet, depend upon it. And yet, consider my improper exultation! Depending for my daily steak (how famous and tender this one is! that little woman of ours has had it hanging up a week—bless her); depending, I say, for my daily bread and butter on a poor woman's bounty—what would the old 77th say to it? Conduct unbecoming an officer and a gentleman, eh?'

I had determined to spend the day in tranquil self-communion. To that end I sallied out, with some slight provision for a midday meal, for a long day's walk; the Major electing to pass the time on the broad of his back, working up his arrears of light literature, of which

we always received from home a generous supply.

'Going for a regular all-day constitutional, Harry, are you?' he said. 'Well, every man to his taste: this is a free country. Seems to me we get a fair share of exercise without a twenty-mile hump on Sundays. Keep your eyes open for a likely gully for prospecting.'

He began to cut the leaves of his *Saturday Review*, and I departed. I was in no mood for the grim pleasantries, the instructive scientific articles, the scathing criticism of that magazine of pure English and merciless sarcasm. Welcome had been its arrival to us in many a dull unrelieved term of labour in the glaring dusty midsummer, or the dreary winter weather, when the rows of tents stood on a plateau of knee-deep mud. But now I longed to speed forth across the low green hills strewn with diorite, across the sharply outlined ridge, where the great white blocks of quartz gleamed in the morning sun, adown the long eastern slope, for miles through the park-like southern forest, where, over the thick greensward, the forester kangaroo and the wallaroo alone run, where eager green and gold parrots chattered and

screamed—where the blue heron fished silently by the reed-fringed creek, where the eagle soared calm and peerless amid the loneliness of the firmament. And there I, too, could be alone and relieve my heart, that seemed almost bursting with unshared thought and thankfulness.

After hours of rambling and a gradual descent, I found myself in a defile which slowly widened until it became a pleasant meadow-seeming flat, partly overgrown with high grass and patches of rushes. The hillsides had been precipitous, and an easier path having been found by the strayed horses and cattle of the miners, Nova Scotia Gully, as it had been called by a wandering Blue Nose, had been completely neglected.

A promising place for 'prospecting.' Yet nowhere did I see the shafts and heaps of rock or gravel which tell in a gold country of the hasty search for the precious metal. Instinctively reasoning on these passing thoughts, half looking out for a pleasant spot for my midday halt, I mechanically wandered to a depression where a lofty eucalyptus, fallen before a hurricane blast, lay with its bared roots sheer

athwart a tiny watercourse. Below this natural embankment was a pool filled with pellucid water.

'Here,' I said, 'I will dream out the day, translating myself as nearly as may be in spirit to the pleasant land of my fathers, and linking my soul to hers, whose pure steadfast heart has so strengthened and lightened mine.'

Hour after hour, after my frugal mid-day meal, I lay on the grass under the vast trunk of the fallen forest-monarch, and dreamed of green England's meads and time-worn crumbling keeps, of the half-royal residences of the great nobles—the time-honoured halls of the squires and county gentlemen. I saw again the ancient gables of Allerton Court, the ivy-buttressed village church, the plodding unambitious farm-labourers, the old women in their caps, the clerk withstanding the ever-troublesome boys, trying in vain to restrain from sounds and antics, secular if not profane, the calm voice of the clergyman reading the prayers or preaching the sermon. How much out of keeping would any excited action or unfamiliar doctrine have been in that haven of repose and assured joys? And then, turning first to one side and then to the other, with a smile or a pleasant word, as either

parent spoke, came my own, my beloved, my peerless Ruth Allerton.

Should I ever see her again, hear her voice, under the great lime trees I remembered so well, when we watched for the first shivering whisper as the evening breeze came sighing up over hill and dale? What a waste world was there between us! What a mournful, pale-gleaming, endless plain of ocean! Nor only such, but the great desert of Poverty, where the dwellers are for ever Bedouins, raiders, outcasts, desperate or despised dwellers on sufferance, by the border of the high-walled cities of wealth and respectability.

Thus did I think; thus muse during the little season of leisure which was allotted to me. The short day was fading fast ere I had completed my round of thought. Henceforth, action would obliterate contemplation. But I felt that in my life I had made a fresh departure. Kneeling on the turf by the gnarled tree-trunk, scarred and scattered as by the fire-storms of centuries, I swore solemnly that, until the year expired, I would neither pause nor slacken in my search for the magical metal. Magical! — it would be the long-lost Philo-

sopher's stone. Would it not transmute the base dross of my present life into the minted treasure of honourable security —successful love?

The lengthening shadows, the more distinct woodland cries, warned me that I must tread the homeward path. At twelve o'clock that night I should have to go on to the 'night-shift,' when eight hours of continuous labour were before me. But my heart was light, my purpose firm. Hope had never glowed so brightly in my breast since first I quitted England's shore, with all the sanguine strength of boyhood's expectation. As I stood up and faced the glowing west, where the rich hues of sunset poured a full glory upon the long green vistas of the waving woodland, a fragment of quartz attracted my attention. I picked it up and applied the usual miner's test. A few minute specks of the dull yellow but unmistakable metal were visible. I hastily scooped out a handful or two of the surrounding earth, and improvising a dish from a circular bark covering of a hole in the nearest tree, washed it in the little rivulet. The result was a few grains of gold. This was fully satisfactory, as giving a few grains to so small a quantity of

the gravel, the proportion to a cartload, the usual alluvial miner's measure, would be far beyond ordinary yields.

I decided to take possession at once of this lucky portion of the earth's surface, from which I anticipated the realisation of my fondest hopes, and commenced to cut four pegs, by placing which in the ground, one at each angle of the claim, I could, according to mining law, take perfect and inalienable possession. But all suddenly a feeling arose, vital and instinctive, which arrested all action—it was the Sabbath day. True, I had employed it most literally as a day of rest, of idle reverie, not availing myself of the regular preaching and prayers conducted by the minister of each denomination on the goldfield. Still, so strong was the reminiscent tradition of my childhood that I could not, for the life of me, commit so total a breach of all my early teaching and belief as to mark out a claim, thus doing actual work, and following my regular workaday avocation on Sunday. The old village chimes came back to my heart, to my ears, I could almost have sworn. My mother's voice, sweet, grave, low-toned — I seemed to hear the very words which incul-

cated self-denial, reading of the Word, heeding the commandments, 'Thou shalt not labour, thou and thy son, and thy daughter, and thy servant, and the stranger that is within thy gates.' I heard it all in memory's wondrous phonograph, as the full tide of life rolled backward, and I saw myself a schoolboy at the knee of a pale lady with wistful eyes and a radiance of holy love beaming around her worn features. All this I saw and heard. I could not sin against knowledge. I was not as one of the reckless gold-hunters with which the camp was thronged. I could not do the deed.

'It matters not,' thought I; 'the place is rarely visited. I will come to-morrow after my shift is over. That will surely be time enough; and now I must stretch out if I wish to save the light.'

I cast down the stake, turned my back upon the temptation, and stepped out manfully towards the camp. As I left the spot the sun's level gleam seemed to light up the scattered quartz fragments with a glitter which transformed them into golden ingots. The strange laughing kingfisher of the south (*Dacelo gigantea*), perched upon a dead tree

in my path, where his extravagant and ludicrous cachinnatory succession of notes, ending in a long-drawn ha-ha-ha, had a weird derisive chuckle to my ears. Was I turning my back upon a fortune, in obedience to the bidding of an outworn superstition? No, assuredly not! Yet my heart misgave me, and an evil presentiment commenced to depress my so lately exulted faculties.

The moon was up as I passed the track which for the last mile, running through an abandoned lead, was a narrow riband of safety amid a region of shafts of all depths and suddenness of approach. The lead with its hundreds of mounds, its black yawning pit-mouths, had a ghostly appearance in the still, clear, cold light, as of a graveyard awaiting the unburied dead of a battlefield. The narrow path led onward, over, and around the lesser hillocks, passing the edge of sullen, narrow mine-mouths, where the displaced clod or pebble went rumbling and murmuring long—long—long—minutes it seemed, though but seconds in reality—ere the dull thud or splash at the bottom told of its completed errand. What would a man's fate be if, belated or tarry-

ing too long at the wine-cup, he stumbled into one of those entrances to the nether world? I had known of such a fate happening to more than one stalwart miner, who had risen that day in rude health and well-nigh giant strength. More than one skeleton had I known scooped out, months, nay years, after the disappearance of a comrade, only to be identified by the clothing that enwrapped the bones. But such would never be my fate. I knew every yard of the track. I rarely travelled the path but by daylight, and no living man could assert with truth that he had ever seen Hereward Pole under the influence of intoxicating liquor.

When I reached our camp fire I found all preparation for our evening meal in such a state of perfect arrangement as induced me to suspect what indeed was the case, that the Major had been considerately awaiting my return.

'Thought you were never coming,' he growled, with affected sulkiness of tone. 'Mrs. Yorke, please to put the gridiron upon the fire at once, and the steak upon the gridiron one minute afterwards. I'm so delighted you've returned safe, Master Harry. I was just thinking how my supper was in a

fair way to be ruined. Not that I was going to be fool enough to wait for you ten minutes longer; but how could a fellow—I put it to you as a gentleman and a man of the world—how could a fellow enjoy his steak, knowing that he would have to go up to the camp and report his mate's probable death by flood and field—gunshot or suicide, or miscalculation of distance, in the morning?'

'A decidedly epicurean view to take of my probable decease,' rejoined I; 'but your friend the coroner will find no inquest necessary at present. It was very good of you to wait supper for me, dead or alive. How delightfully the steak hisses and simmers! Wait till I have just time to dress the least bit, and it will be done to a turn. I have news, too.'

To change my outer coat for an old—very old—shooting jacket, but still distinguished as to cut, to replace the heavy walking boots by shoes, and to perform certain splashings, did not occupy many minutes. When I came forth from the recesses of the tent, refreshed and charitable of mood, the steak before referred to was in the act of being placed upon our humble board. Such it was, literally, being

a section of a cedar plank about two feet wide, supported on trestles, which rendered transport and packing a very simple transaction. Covered with a clean cloth, it was sufficiently large for the present dinner-party, the number of which never required to be increased. Potatoes baked in the ashes and served up hot, coffee, white bread in very excellent rolls, with honey and fresh butter, completed our meal. There was one rare and indispensable adjunct, that of appetite, which we rarely lacked, and which I may frankly confess to have provided in a very high state of perfection on this particular occasion.

We had eaten with satisfaction; we had washed down the solids with cups of coffee; we had lighted our pipes, and were miles beyond any of the lower unamiable forms of conversation, when I thus spoke—

'Major, I did not go out expressly with a view of prospecting to-day. I want to tell you that I came across something which I fancy will materially alter our worldly expectations.'

'Nobody said you were going prospecting,' observed the Major quietly. 'Nobody thought you had as much sense. *We* knew you would

lie under a tree all day, and dream of the perfections of—what's her name?—Miss Allerton. Besides, I know you have the narrow English notion of Sunday.'

'I didn't go out prospecting,' said I; 'as you kindly observe, I had not sense enough; but I made a discovery, all the same. What do you think of that?' said I, suddenly producing one of my specimens.

The Major took it carelessly in his hand, looked narrowly at the sides and facets, moistened it with his tongue, squinted at it, and finally, with an air of high professional skill, said—

'To my mind, it's awfully good, fine gold showing all through it—the best kind of stone, always. Rich enough for everybody. You took up a claim of course?'

'Well, no,' said I, 'Major, I did not. I have, as you say, some lingering traditions about my early days, and I could not disavow them. We can go and take it up early to-morrow after I come off the night-shift. We must be all four there to put in the pegs, you know?'

'Yes, and an awful bother, too. Why can't

one man, in the name of his partners, take up a claim—always supposing that they have the requisite number of Miners' Rights?'

'Well, of course; but there's something to be said on the other side. Occupation is the great fundamental principle of the miner. Otherwise the capitalist might, by proxy, delegate, and so on, monopolise half the good ground on a goldfield.'

'You be hanged!' growled the Major; 'you're talking now like an intelligent practical miner, a friend of the people, and so on. But we'd better all start at sunrise to-morrow morning, if it's a good show.'

On the next morning, accordingly, four men might have been observed wending their way eastward from Yatala at an unusually early hour. They walked rapidly forward, silent, strong with steadfast resolve. It was the mid-winter; the frost was white upon grass and shrub, the drooping points of which were bright and crystal-glittering.

'It occurs to me,' said the Major, after a long pause, in an ill-used tone, 'that we are most confoundedly cold, and most probably proceeding on a fool's errand as well. Ten to

one there's nothing in this claim after we have pegged it out.'

'I allus reckoned this was a lucky gully out here,' said Cyrus Yorke, 'and much about the lie of the place where Harry talks of. I had a mind to peg out there myself once.'

'And why didn't you?' said I.

'Well, something put me off it,' said Cyrus, the most inconsequent of men. It was an excuse that we all eagerly accepted.

'This gully does shape like the real thing,' said Joe Bulder. 'I'll be bound when we get on a mile farther we'll all be of the same mind. I wish we'd thought of it a week ago. All the gold seems running this way. There's the Australian Maid, the Blue Snake, and the Doubtful Card, all struck gold in the same line. I believe we'll be on the gutter this time if we stick in to work at once.'

'I can only say,' returned I, 'that in all my experience'—we were beginning to talk, nay, to think, like men who had possessed no interest but those allied with the search for gold since childhood—who dreamed of no other distraction for the years that lay between

them and the grave—'in all my experience I never saw anything more promising.'

'Daresay not,' said the Major scornfully, 'all goldfield ventures are promising. Devil mend them. They are *his* lures specially and entirely. I should never be surprised at seeing him come and carry away a miner, or elevate the editor of a mining newspaper bodily. What lies—only inferior to those of the Father of those inventions—must he have hatched, have supported! What an atmosphere of dissimulation must he have experienced, nay, have revelled in!'

'We have only to cross that ridge and we are in sight of the spot. I am sure that you will be taken with it. Push on, boys; a fortune is waiting for you. I am as sure as that we stand here that the Nova Scotia Prospecting Claim will run gold into our pockets like a schoolboy making dumps.'

'Seeing's believing,' said the Major, quite inconsequentially. 'We have had not quite so much of that lately. Why, who is this, and what is *he* doing so early? By Jove, it's Gus Maynard. What's up, Gus?'

Gus Maynard, an American, ranked highly

in our metallurgical phalanstery. Well educated and well mannered, he was one of the enigmas which abound on goldfields, but which, after the incurious mental habit which prevails in these societies, doubtless for good and sufficient reason, no one attempts to solve. Unobtrusive, yet manly and direct of demeanour, he was equally *bon camarade* with the humblest miner and with the educated and what might be termed aristocratic section. He was thoroughly practical, in spite of his rather advanced geological theories, and had not wielded pick and shovel, from Suttor's Mill to Hokitiki Beach-terraces, for nothing.

'I've been pegging out a fraud, I reckon, for the 999th time,' he said, with the slow monotone which few northern Americans contrive to evade. 'The early bird gets the worm, you benighted Britishers are fond of saying. My notion is that he rushes out before he completes his ciphering, and so gets "had" by a stockbroker, an insurance agent, or some other varmint.'

'Or by a betting man, eh, Gus?' said I. But where have you been pegging out, and where are your mates?'

'Gone home; but I can show you their Miners' Rights, if you wish. Just marked out a prospecting claim, and if I hadn't sworn never to waste words on a hole till I saw the gold come out of it, I'd say it was a good one.'

'Show it to us, Gus,' said I faintly. As I spoke, a sudden thrill of pain struck through me, while I saw in my mind's eye countless loads of ounce wash-dirt stacked around *my* spot.

'Know where there's a big fallen tree, a little well-hole like, just in the dip of the flat? There you have it. I'd spotted this Nova Scotia Gulch for some time, and this morning I up and drove pegs, with the other three boys, because I had a dream four others were going to take it up.'

'Would you know any of them again?'

'One of 'em had a velvet coat on. I remembered that, for I never saw one here.'

'Your dream carried true as a pea-rifle, Gus,' said I. 'The fit took me to put on an old velveteen shooting jacket yesterday that I had in my kit. I wish it may bring you no ill luck, but it's *my claim* that you've just taken up. The Major and I and the other two mates are on our way to mark that very claim. I was

there all day yesterday, but couldn't put in a peg because it was Sunday.'

'And a very good reason, too,' said Gus; 'suited us admirably. But hadn't you better come on and take up No. 1 South? It may be a good show. We've taken up five hundred feet square, and will set to work the day after to-morrow.'

The Major burst into a fit of immoderate laughter. 'Harry,' said he, 'we're not going to make our fortune this time. Fate and Gus Maynard have been too much for you. Let's have the melancholy satisfaction of seeing Gus's pegs, and noting whether they are all *en règle*. If not, we'll "jump" him.'

I mechanically followed our transatlantic friend, though I felt more inclined to sit down and cast ashes on my head, in sincere imitation of the older races, who thus very naturally vented their emotions.

It was too true. The fallen tree—the pellucid basin, no longer stood unsoiled by the hand of man. They were in the centre of a square, at each corner of which was a substantial peg, with a trench cut to show the intersection of the angles. Every bit of ground which but

yestereven I so fondly trusted to be the means of restoring my fallen fortunes, was now inalienably vested in others.

For, according to mining law, well known and carefully studied by us all, 'prior occupation,' if but of five minutes' standing, was sufficient to establish a right valid as that of an immemorial freehold. I knew Gus Maynard too well to doubt that he had neglected any of the necessary forms. My golden estate was as completely forfeited as if I had remained in England.

Not entirely to lose all our labour we marked out the first claim, after the prospecting claim, in a southerly direction. This, however, as by law established, would be but half the size of the premier or prospecting claim, and to my jaundiced vision did not appear to be half as likely to contain gold.

'What are you going to call it, Gus?' said I. 'It may as well have a name.'

'We'll call it the Nova Scotia Lead,' said Gus. 'The man this gully was named after was a friend of mine, and a real smart chap, but so darned unlucky that I believe if he bought an axe the handle would split before he got home.'

'Perhaps his luck will turn some day,' said I; 'nothing like perseverance.'

'Well, so it may,' said the mild-mannered but somewhat obstinate Gus; 'in about thirty or forty years, may be, he might have a throw in. Then, most likely he'd pass in his checks right away. I'm a great believer in luck. I never had much myself, or I shouldn't be here, you bet. And an old Indian woman told me once—but—let's talk of something else.'

'What did she tell you, Gus?' said I, reckless in my despair, and not disposed to acquiesce in any man's softly superstitious moods.

'It's nonsense, no doubt, but all her tribe swore—I hunted with them when I was a boy—that old Tacomah was never known to be wrong, and more than a score of deaths had occurred in the exact order she had predicted. It was this,' continued he, while a shadow covered his face, like a dim presage of coming ill—'She said I should go to a far land across sea, to find gold; that I should have my desire, but that when I had reached it, to beware, for the end was nigh.'

'Every man's end must be nigh whose fate compels him to live in this infernal place,' said

the Major. 'We work like niggers, and live like black fellows (this was rather unfair to Mrs. Yorke); we never see any gold ourselves, and yet have the privilege of looking at other fellows handling it and hugging it as their own. Now, I *know* you'll be on it here; and as you're a sporting man, let us have a wager.'

'All right,' said Gus, a born gambler, who, though prudent and highly respectable, had a book always at the Metropolitan Races, 'what shall it be?'

'I'll lay a hundred to two in fives,' said the Major, 'that you get nothing payable out of this claim. If you win, I sha'n't miss the brace of fives. If it turns out a real golden hole, five hundred pounds won't be worth considering—will it?'

'Done, and done again,' said he heartily.

The bets were written down carefully and methodically. After a while we returned to our old claim, crestfallen it is true, but fully resolved to make a stand upon No. 1 South Nova Scotia Lead, and to free ourselves from debt, if possible, if we didn't make our 'pile' just yet.

We sold out our old claim for a ten-pound note; and in a couple of days, with our

belongings at Nova Scotia Gully, had logged up and made a start with another shaft.

The sinking was good. No rock, no water. Gus and his party were soon down to the bottom—that is, the alluvial drift, the sand and water-worn pebbles, the gravel and debris of the long dead, deeply buried stream, which in past ages had rippled and murmured under the blue heavens, heard the birds call amid the trees which lined its banks, and reflected the still azure of a southern sky.

Now waterless, soundless—blind, dumb, and imprisoned it lay, with a hundred feet of the earth's crust upon its bosom—that bosom which was once more bared to the light of day, solely by reason of the gems and scattered treasure which lay amid the sands of shore and channel.

Man, the arch disturber, burying himself deep below the soil, and groping, mole fashion, in his sunless galleries, was able to trace out all the meanderings of that sunless stream. Even the dark, hard, stone-like fragments of the perished forest did he exhume, scrutinising the grain of the timber which had fallen, the fruit which had ripened, the leaf which had withered in the long solitary æons of dimmest eld.

When the first 'prospect,' the first pan of alluvial gold-drift, was sent up to be tested, we stopped work and joined the anxious crowd, who pressed around, deeply curious and, indeed, directly interested in its proved value.

The manner of separating the clay, sand, gravel, etc., from the precious metal is much after this fashion: carrying his tin pan or dish to the nearest water, the miner—Gus himself in this present instance—dips the vessel beneath, and immediately commences a half-circular, half-vertical, rotatory movement, suffering the clay-stained water to pour off, to be replenished from time to time, and always leaving less and less debris behind it.

After successive washings and castings forth of the pebbles by hand, nothing is left but a narrow crescent of sand, on the edge of which a border of dull red grains, specks, small particles, and a few irregular yellowish fragments are plainly visible. There is no mistaking the king of metals. As Gus holds up the dish first for mine, and then for the inspection of the eager crowd, each man takes a rapid, earnest glance and draws back. Then a wild cry bursts forth, hats are thrown up in the excitement of the

moment, and the more intelligible utterances can be translated into 'fine gold, mostly, some rather coarse and water-worn—half a penny-weight to dish.'

This was success, indeed — triumphant, intoxicating success. The rule of three sum under such circumstances, which every miner entrusts to his mental arithmetic, runs thus: two dishes to a bucket, sixty buckets to a load, which makes three ounces, or £11 odd to the load—the load meaning a reasonable quantity for one horse to draw in a box cart. The wash-dirt has in a general way to be subjected to a puddling machine, a shallow wooden cylinder like a large circular trough, in which a species of harrow is drawn by an unlucky horse, which continues his unending round, like the traditionary mill horse, until he must be heartily sick of the whole concern.

Poignant regret and bitter disappointment were over, though so little a matter as the delay of a day's marking out had lost us what promised to be as good a claim as any on Yatala—in fact, 'a gentle fortune,' as Cyrus observed. We comforted ourselves with the belief that in No. 1 we had a claim which would almost

necessarily be a good one—might, indeed, be as rich, or, indeed, richer than the prospecting claim.

Taking the general nature of 'leads' or dead rivers, it chiefly obtained that if gold were found on one portion of them, it extended to all the claims within a considerable distance. Sometimes, of course, it was not so. All the gold in the locality appeared to have been shovelled by malignant gnomes into one crevice, in the familiar phrase of the miners 'a pot-hole,' leaving the rest of the lead non-auriferous and disappointing. This we knew to be possible, but did not think probable. We accordingly worked away, stimulated daily by the pile of wash-dirt rising high on the side of the prospecting claim's brace—a pile in which the gold could be seen with the naked eye. At length we bottomed. Our shaft was down amid huge gray boulders of limestone which formed the bed rock of the locale. The drift was reached. With what anxious eagerness did the Major and I carry out our first dish of wash-dirt to 'try a prospect!' Inch by inch the sand and gravel lowered in the dish, the clay-stained water flowed and flowed, till at length, in the full view

of a hundred men, the last streak of sand and minute gravel was left. In vain we looked, with practised eye, for the faint red rim which had comforted us in the prospecting claim. I shook the dish, and with the action dispersed and re-united the remnant sand. It was of no avail. No trace—even the faintest—of 'the colour' could be descried. With a half-angry, half-humorous roar, the crowd parted right and left, while the verdict was proclaimed, expressively if not elegantly, by Cyrus Yorke himself, who cried aloud, plain for all men to hear.

'Bottomed a duffer, by gum, not the colour itself, no mor'n on the palm o' my hand.'

We tried a few more dishes, all with the same melancholy result. Not a scintilla of the magic metal. Our labour had gone for nothing. We felt humiliated in the opinion of the crowd, many of whom had a personal interest in our success, as their claims, following after ours, would have been enhanced in value. Others, in despite of the stern mining law, were evasive of regulations and were awaiting our success, in order to commence sinking on their own account. Others had speculated in shares for the rise, and now found themselves hung up in

a falling market. All these persons regarded us, with more or less of justice, as having done them an injury.

About the same time, or, indeed, within a few days afterwards, No. 1 North, with Nos. 2 and 3 on either side, bottomed with similar results. It was the more astonishing, as all the while the prospecting claim was raising any quantity of wash-dirt, and the market value of shares therein had risen to one thousand pounds per man. How I almost cursed my too rigidly puritanic education!

Cast adrift again, we struck out for pastures new in the mining-nomadic sense, and, disappointed—not despairing—commenced a fresh shaft some ten miles off—this time on a Saturday night, and in an extremely promising flat, in which, as usual, I sanguinely trusted to find my *schatz*, like the *drei reisende auf ihrem wege*. The *schatz*, however, was not, as yet, for any one—except Gus Maynard, it seemed. The Nova Scotia base line was changed by the Commissioner, upon the impassioned application of scores of distressed miners, some with large families, others without any encumbrance, as they are politely termed in Australia. All

kinds of efforts were made to trace the gold; but no gold could by any means be traced, except in the unlucky-lucky prospecting claim —the shareholders in which were Gus Maynard and party, and not Harry Pole and Co., alas!

Then was the well-known frontage expedient tried of 'swinging the base line,' which the Commissioner was empowered to do, when called upon by a majority of the registered claimholders, on any given frontage lead. This somewhat remarkable operation, well-nigh impossible to explain to non-mining intelligence, and sufficiently confusing even to those who had the dear-bought privilege of mining experience, may be illustrated as follows.

CHAPTER VI

After sinking in every claim to the bed rock, on the imaginary course of the lead, not only is no gold found, but, from the depth and character of the strata, it is evident that the lead or ancient river-bed *cannot* possibly run in that direction. Then, after due application to the Commissioner, the base line is altered or 'swung,' *i.e.* freshly marked on another imaginary course, and the registered claims only, of equal size and number of men—of precisely the same rotation—are marked out afresh on the new base line. All previous markings and occupations are thereby annulled. Only the new ones are valid.

This mode of procedure, originally framed by officers thoroughly versed in all mining law, had stood the test of experience. If not the fairest mode of distribution of risk, it was

the best compromise that could be effected between opposing interests. Still, curious *contretemps* were continually occurring. When No. 6, let us say, was measured off and allotted on the new line, it would be found, perhaps, that No. 5's shaft, seventy feet deep, the last twenty through basalt, and a highly expensive exploration, was *now* situated in No. 6 claim.

Thereupon the No. 5 men would come to the Commissioner and represent that they were all married men with large families, and that they had spent their last shilling in sinking the said shaft, and if No. 6 were allowed to have it, what a hard case it would be; and wouldn't his honour allow them to work it still, and drive (or tunnel) into No. 5, their present claim?

A Commissioner who was soft-hearted or philanthropical would probably be disposed to assent to this very feasible suggestion. Thereby he would straightway complicate matters, and get the whole lead into confusion, inasmuch as if No. 5 got gold in No. 6's claim, there would be a very nice bit of work cut out as to the distribution of it.

Of course, Captain Blake, after years at the Meroo in the early days of Louisa and Lambing

Flat, had seen far too much of that kind of thing to be taken in. He would simply tell them to 'go to the devil' and read the regulations. He and they alike were bound by what they saw there. They were clever enough to read them, underline them, and worry the life and soul out of him, William Devereux Blake, by taking technical objections, God knows. Then let them obey the law, whatever it was, and not come bothering him with ridiculous applications. It was as fair for one as another. As to wives and families, and such like rubbish (in the way of argument, he meant), it was waste of time to introduce such matter into the question. Lose their shaft? Of course they must lose their shaft. And any block claim that the new base line, as newly surveyed, took in, must stop work till the frontage line was proved. How were men to expend capital, and develop the deep lead properly—answer him that—unless they were defended in the possession of their duly registered frontage claim? he asked. They must be protected in following the registered claims on the lead wherever they were found to go. Much grumbling was occasionally heard, and threats were now and then used. But a

Commissioner of Goldfields should know how to put down his foot; and when once planted in accordance with his reading of the law, should never raise it. Firmness invariably, in the long-run, succeeds with large bodies of men.

As I said before, we had the base line altered over and over again at Nova Scotia Gully, until the south claim levels were nearly turned into the north and *vice versâ*. The old shareholders in the prospecting claim were quite contented. They, of course, did not budge. Their claim was central, measured off by the mining surveyor. It was daily turning out loads of wash-dirt from half an ounce to an ounce to the ton. It seemed inexhaustible too. The stratum of wash-dirt was the thickest ever known in an Australian goldfield. It was in some places of the unparalleled—well-nigh incredible—depth of forty feet. Think of that, said all the experienced miners; years and years of work. When would it come to an end? But, jammed between the fossiliferous gray limestone walls of a tremendous *crevasse*, it seemed to be only what the diggers called a pot-hole. It apparently came from no other 'run of gold;' led to none, certainly. Hence

was the disappointment deep and bitter in proportion amid all the unsuccessful comrades of the hero of this wonderful discovery, Gus Maynard.

Again we were disappointed. Not for the first, not for the tenth—the twentieth time! We had simply, failing to find gold in our claim, known as No. 7 North Nova Scotia, lost our time, our labour, and every shilling which we had been compelled to disburse for what are called in mining phrase 'expenses,' that is, rope, tools, iron work, wax candles (for working below), and any other matters without which 'sinking' cannot be carried on. We had gone more deeply still into debt to our good friend and backer, Mrs. Mangrove; and really, I felt quite ashamed to face that truly generous and estimable woman.

'So you're "duffered out" again, Harry!' she said, in her usual cheery accent; 'well, you *are* an unlucky beggar, I must say. I don't think that young lady of yours will have any great catch of you. And the Major, he's just as bad. He generally buys a few yellow books after he's had a regular march down like this, and lies on his back and reads for a week.

Your mate, Joe Bulder, he always seems to me to take it to heart too much; he sits, and smokes, and grizzles about it, no end. And that Hawkesbury chap, he never takes on at all; he's too careless to fret about anything: he leaves all that to the poor little wife—just like you men, that is. But you are an unlucky crowd, and there's no use saying you ain't.'

'I'm afraid we are, Mrs. Mangrove,' I said sadly, for my heart was low enough, I confess. 'If I hadn't sworn an oath to keep on till the end of the year, I'd throw the whole thing up. As it is, I don't know what we shall do, for I can't think of asking you for more credit.'

'You needn't ask for it, Harry, my boy; you shall have it without asking, to the end of the year, as you've sworn such a big oath about it. My word! I haven't followed the diggings all these years, me and John, without having to put the pot on now and then. We'll chance it till your time's up, just for the luck of the thing. Perhaps you'll make a rise, and pull us through, and something over.'

'And suppose we don't?'

'Then we can "blue the lot," and your

tucker account can go with many another good pound as we've seen the last of. But mind you, it ain't all losings, not by a long way. Didn't Joe Hall put us into that Mary Jane reef, as we're drawing good divs. out of to this day? And German Harry gave us a half share in the Fatherland. It was down a bit to be sure, but we got eight hundred pound for that, and four good washings up, too. So you go and fossick out another good show, and I'll stand to you, whether the old man likes it or not. Take a nip, won't you; it'll keep your pecker up. No? Then have a glass of beer — it's only she-oak, but there's nothing wrong about it, or we should have had a funeral or two by now, this hot weather.'

I accepted the table-ale of the colony, said 'God bless you, old woman,' to my kind and generous, if somewhat unrefined, friend in need, and walked back to Nova Scotia Gully.

There I found the whole party so nearly posed in the different conditions that Mrs. Mangrove had predicted of them, that I burst out laughing in the Major's mildly-inquiring face. That calm warrior was never truly and

unaffectedly surprised—if outward appearances were to be considered—at anything.

He looked up from a cheaply-published 'yellow-back' novel of the period, which he had apparently borrowed since I left in the morning, and which, lying flat upon his back, he had been engaged in assimilating.

'Been drowning *atra cura* in the flowing B. and S., Harry?' he said. 'It's a terrible temptation when fellows have just "duffered out," I admit. A debauch of light reading, I find, however, has less reactionary vengeance about it. I don't seem to mind drinking so much, but I can't stand the repentance. That's what keeps me so virtuous.'

'I am not "on," most noble centurion,' I made answer; 'but I have just had a great yarn with Mrs. Mangrove—God bless the dear old woman—and she described so exactly the way you all took bad luck, that when I found you with your yellow-back, whatever it is——'

'The *Count of Monte Christo*, my dear boy. Of course, I've read it before; but it's a fine, long, solid romance, and I thought this the most appropriate time for a big read, so I went and borrowed it from Burton—but go on.'

'Well, there's poor Joe, smoking and looking like a man who, having made up his mind to hang himself, is now devoting all his mental powers to fixing upon a suitable tree. She says, truly, that he feels it too much, and that Cyrus, who has gone fast asleep, leaving his wife at the water-tub, and all the plates and dishes to finish before she goes to bed, doesn't feel it half enough.'

'"To each his sufferings: all are men
Condemned alike to groan,
The tender for another's woes (that's me),
The unfeeling for his own (that's you),"'

quoted the Major with emphasis. 'I am at present so deeply penetrated with the scoundrelly ungrateful way in which his *monde* has treated the deserving Edmund Dante, that I have no tears to spare for our own apparently real misfortunes; but I do not mind quitting the "Château d'If" for a few minutes to inquire whether or no we are to starve, or whether we have eaten our last, or rather Mrs. Mangrove's last, beef and bread.'

'That admirable woman has pressed upon us a whole Elysium of "tick,"' I say, 'that is until Christmas, when she will probably with-

draw, leaving us to perish financially if we continue to be the prey of the gods.'

'But not until then?' the Major inquired, with a certain air of indifference, returning to his romance.

'No,' I said; 'our existence literally, and as a mining party, is secured until then. If we don't make a rise before that time, we shall have to become wages-men, bushrangers, or knock-about-men on a station—farm-labourers.'

'I was one once,' murmured the Major, with his eyes fixed on his book.

'What, a bushranger?' inquired I eagerly.

'No; not so good as that. But Mayne and I—remittances being disgracefully long in coming—contracted to dig a lot of potatoes for an old buffer near Tenterfield. We dug away with great industry; it seemed an easy sort of game, but I couldn't help cutting most of the potatoes in half. These I had to bury to avoid detection, which led to old Baggs (that was our master's name) referring blasphemously to the smallness of the crop. I looked virtuously grieved.'

'Heroic virtue,' I said; 'and how long did it last?'

'More than a month, I assure you. One day our letters came—Mayne's to the care of John Baggs, Esq., Bubbrah, and two addressed Major Blank, you know, late 77th Regiment. How old Baggs stared when I took mine from him! "These for you?" he said, gasping audibly. "Without a doubt they are; hand them here, Baggs—there are not two ex-majors of the 77th knocking about this beastly hot village of yours. Perhaps you'll send for the spades, and let a boy bring our swags down to the village. We're going there now. There's hardly time to order dinner. Better drop in and join us; one o'clock sharp." "No, thank ye, er—er—Major. Well, I'm blowed," said he, and walked off.'

Let me strive to produce, as we are out of employment, a picture of that strange settlement, a mining community in its first inception, while the colours are fresh upon memory's pallet. What should I have thought of it, familiar as all things are now, had I been suddenly deposited before the door of our tent, in the old happy, sleepy days, at Dibblestowe Leys?

Far as eye can see, the area of settlement—

several miles square—is denuded of timber, the felled or burned trees represented by unsightly stumps in all directions. Within this clearing every kind of building and tenement is carelessly strewed. Tents, log-huts, with the walls built, American fashion, of horizontal tree-trunks; slab-huts of split heavy boards, Australian fashion, placed vertically, and for the most part not impervious to heat or cold; bark-huts, of which both sides, and sometimes doors, are composed of sheets of the flattened eucalyptus bark—this material composing the roof both of this and the previously described architectural edifices. The more ambitious buildings are of weather-board, sawn pine or hardwood boards, roofed with large sheets of galvanised iron. These are chiefly confined to the streets of the township proper. This is held to be the maximum of architectural solidity, elegance, and durability, from a digging point of view, beyond which no reasonable man could frame an aspiration.

To the untravelled European mind such a picture of household habitudes would doubtless present the idea of ugliness, squalor, and privation difficult to realise or exaggerate. As with

most superficial conclusions, the idea would be erroneous. Among other factors of a beneficent nature the climate stands prominently forward. The interior of Australia, for the most part, enjoys seasons, mild, rainless, devoid of storms and tempests, rendering unnecessary the durable abodes of more northern regions. There is no want of space; land is cheap and accessible. The Miner's Right—that talismanic document—in addition to conferring the potentiality of untold gold, has other powers and magic qualities. It provides the holder with a perfect title to an allotment of the earth's surface, varying from a quarter of an acre within town boundaries, to four times the quantity in a suburban location, always supposing that 'payable gold' is not demonstrated to exist on or below the surface. In such case any fellow-miner may claim to dig thereon, previously compensating the householder, as may be fixed by arbitration, the Commissioner, as usual, being the final arbiter for the affront to his Lares and Penates.

It follows hence that the thrifty miner who possesses the treasure, not less common on Australian goldfields than in other places, of a

cleanly managing wife, is enabled to surround himself with ordinary rural privileges. A plot of garden ground, well fenced, grows not only vegetables but flowers, which a generation since were only to be found in conservatories. He has a goodly array of laying hens, occasionally even a well-fed pig. On a rainy day, when the claim is off work, the domestic miner is often seen surrounded by his children, hoeing up his potatoes or cauliflowers, or training the climbing rose which beautifies his rude but by no means despicable dwelling.

Entering such a hut, as it is uniformly, but in no sense of contempt, termed—a hut being simply lower in the scale than a cottage—you will there find nothing to shock the eye or displease the taste. As in a midshipman's cabin, economy of space may be the rule but untidiness is the exception. Not only is the earthen floor scrupulously swept and perhaps damped with sprinkled water every day, but the space to a considerable distance in the rear of the premises. All scraps and refuse are raked into heaps, and on Saturday, which is invariably a half-holiday and cleaning-up day, carefully burned. The meal to which the married

miner sits down at mid-day is generally composed of excellent beef or mutton, roast or boiled, bread of the best wheaten flour, vegetables and tea, *à discrétion*, always supposing the claim to be 'in full work.' At less prosperous seasons, no doubt, there is occasional need for distinct but seldom for distressing retrenchment. Before that stage sets in, the married miner generally betakes himself to hired work of some sort, for the neighbouring squatters or farmers, until he 'gets a show again' in a mineral point of view.

When the field becomes so worked out that there is no longer hope of employment at his favourite occupation, the domestic miner generally sells his improvements and the goodwill of his little holding to a more sanguine or more stationary comrade, and packing wife and children, furniture, pots and pans, shovels and picks, cocks and hens, upon his dray, catches the old horse, and migrates to the next promising 'rush,' whether fifty or five hundred miles distant. Arrived there, he selects an unoccupied allotment, and proceeds to levy on the adjacent forest for a fresh dwelling, which in a few days presents in all essential respects

a striking resemblance to the home he had just quitted. This done, he attacks the green or gravelly garment which garbs the bosom of the Mighty Mother, with his old patient industry and a courage undaunted by a hundred defeats.

Among this class of miners, constituting a very large proportion of the mining population on every goldfield, it will be seen that the chance of lawless behaviour being supported is slight. Malcontents and criminals doubtless there were in due proportion to the exceptional circumstances which brought together the community, but the police being aided by the whole body of respectable miners, and still more strengthened by the propriety of public feeling, there was little probability of crime rioting and reigning unchecked, as (unless their own chroniclers are marvellously and unnecessarily mendacious) was the case on the American gold and silver fields.

Had such characters as Slade, and others, but presumed to have shown themselves in Yatala for a single day, they would have been hunted down and extirpated, I venture to say, with as little delay and compunction as the tiger which once escaped from a travelling

showman in the neighbourhood of Dibblestowe Leys. Not a trace of sympathy would have been shown with their acts and braggart blood-deeds. I can fancy the speechless astonishment, mingled with wrath unspeakable, with which Sergeant M'Mahon would have received the astounding statement that the portly host of the Freemason's Arms had been shot dead by Ned White or Bill Jinks, across his own bar. Hardly more surprise and incredibility would have been evoked had the news appeared in the Yatala *Watchman* that the Church of England clergyman, a Cambridge graduate, and a most highly respected personage, had been scalped by Bungarree, the black fellow, an aboriginal chieftain, who (when in liquor) was wont to assert his prior right to the whole goldfield, and his fixed determination to petition Queen Wikitoria for a share of the weekly gold escort.

The carrying of arms, that apparently natural and necessary habit in the United States of America, was here a monopoly enjoyed by the police. Even threatening to shoot was an offence punishable by law. A worthy Downeaster was, for that offence only,

promptly apprehended and haled into 'the Logs,' as the strongly timbered lock-up was usually termed, for merely using the threat of shooting. He was called upon to find sureties to keep the peace in the sum of one hundred pounds, and, to his dismay and mortification, retained a night in duress for the first time in his life, he averred, such sureties not being forthcoming. The Commissioner, with his usual good-nature, sent word to one of his countrymen, who appeared and tendered bail to the amount, so that the free and enlightened citizen was liberated.

The town of Yatala, where the houses, huts, and cottages were so close to one another that every foot of frontage had its value, was composed of two principal and seven or eight cross streets and lesser thoroughfares. The larger shops, especially when lighted up at night, were gorgeous with plate glass, and brilliant in display of all the wares requisite for a mining community. There were haberdashers, grocers, fruiterers, tailors, shoemakers, butchers, bakers, booksellers, not noticeably different in the appearance of the warehouses and wares from their city prototypes. Paint

and calico, varnish and gilding, with the glare of well-fed oil lamps, made the outer presentment dazzling to behold. The tourist, walking down the main street at night, in the midst of a surging, stalwart, but most well-behaved crowd, must needs be struck with astonishment at the close resemblance of the mushroom town to the real, legitimate, accredited cities of an older world.

The back premises of these imposing structures would seldom bear close scrutiny, shading off as they did to bark and tin, and sometimes calico continuations. But, commodious and weather-proof, they answered fairly well the purposes for which they were intended. The most prosperous establishments were naturally the licensed hotels and public-houses. Of these there were a hundred and seventy in all. A very large number, doubtless; but any attempt to limit the licensing produced such a crop of 'shanties' or sly-grogshops, that the magistrates granted licenses to nearly every one who chose to apply. The license fee, £30, was rather high. But, presumably, a demand for such entertainment existed, or persons would not be found willing to lay out their

money on the speculation. Upon these establishments, which are generally suspected in rude communities of being seed-beds of disorder, a strong hand was kept. They were only permitted to have music with dancing at their saloons once a week. This permission was applied for in writing to the Bench, and liable to be promptly withdrawn at any time upon complaint by the police.

Gambling, in an open manner, was sternly repressed. Hotel-keepers were fined severely if convicted, and every *particeps criminis* was similarly dealt with. Mr. Jack Hamlin, in spite of his engaging social qualities and latent nobility of nature, would have had a bad time of it at Yatala. Strictly under the surveillance of the police, Mr. Merlin's cold gray eye would have been invariably upon him; and it would have been unsafe to have offered long odds that the sergeant did not eventually run him in for contravening some of the statutes which he knew and loved so well.

Although many of the miners could not have been described as religious persons, yet was Yatala, on the whole, a very church-going community. The Protestant denominations were

well represented. The Church of England, the Presbyterians, the Wesleyans, and the Congregationalists had all built, without a sixpence of Government aid, very neat and commodious edifices, in which service was held, by ordained ministers, twice on each Sunday regularly. Sunday schools, visiting societies, and other allied associations were as plentiful and well kept up as in any settled parish. The Roman Catholics had perhaps the most imposing building, except the Wesleyans; but then Cousin Jack Tressider, an opulent Cornish miner, had given eight hundred pounds to the latter, which had enabled them to have stained-glass windows, with varnished seats, and divers other decorative distinctions.

I was never done wondering at what struck me first as the chief characteristic of this great army of adventurers suddenly gathered together from all lands and seas—viz. its outward propriety and submission to the law. Closely applicable was the description of the mixed host at the leaguer of Valencia—

'There were men from wilds where the death wind sweeps,
There were spears from hills where the lion sleeps,

There were bows from sands where the ostrich runs—
For the shrill horn of Afric had called her sons
To the battle of the West.'

And, indeed, swarthy, grizzled Californians, red sashed and high booted, with great felt sombreros that took all kinds of fantastic shapes—jostled stalwart 'Geordies' and Cousin Jacks, whose fresh faces told that they had never before left the shores of good old England. Frenchmen and Spaniards, Germans and Italians, Hungarians and Poles, Greeks and — Trojans? Well, I may not swear that any unit of that richly variegated crowd had quitted the windy plains of Ilium or the banks of Simois for Yatala Creek—but if that once famous nationality was unrepresented at the great Yatala rush, it stood alone in disfranchisement.

The compatriots of Achilles and Ajax, though not of Hector and Paris, were sufficiently numerous, proving, as one marked their stately forms, their flashing eyes and chiselled features, that the modern inhabitants of Hellas have not relinquished the birthright of godlike strength and beauty which witched the world when 'the fearless old fashion held sway.'

Yet, though the narrow streets actually trembled under the feet of the surging crowd of grand-looking athletes that thronged the well-lighted thoroughfares, and filled the shops and tavern bars after working hours, there was no lawless act, no wearing of deadly weapons, no foul language, no open drunkenness or offensive parade of immorality; far more decorous of demeanour and easy to thread than the ordinary crowd of a manufacturing town or a metropolis. What was the reason of this strange reserve, this almost unnatural decorum?

It was apparently a triumph of moral control! It was not wholly the spontaneous propriety of a highly intelligent, travelled, experienced community. Human nature, in the mass, though often unduly maligned, scarcely attains such results unaided or unrestrained.

A patent fact was, that the vast crowd was under the sway of a very smart officer of police, who, with two sergeants, a couple of detectives, and about a score of constables of the rank and file, about one man to each thousand, kept the whole of the great band of adventurers in perfect and admirable order.

Such, in other colonies, had not (*vide* Mick Hord, barkeeper, ex-miner, storekeeper, pugilist, etc.) always been the successful result under such circumstances. 'Perleece, Mr. Merlin,' he said one day to that officer, 'talk about perleece, and call this a "rush." I've known a rush of forty thousand men, and seen 'em kickin' the perleece from one end of the town to the other.'

'I was not at the Red Hills, my dear boy, nor Sergeant M'Mahon either,' said Mr. Merlin, smiling with that way of his that somehow did not tend to reassure people. 'I should not advise any one to commence that kind of thing here.'

Whatever the reason, no one did apparently care to take the initiative in any kind of disturbance, though such was often threatened.

The inspector, Mr. Merlin, was always extremely keen at knowing everybody and everything which it concerned him to know very thoroughly. Patient and calculating, too, always averse to use force when diplomacy would suffice. Yet utterly impartial and pitiless in the execution of his duty when need was. He was, therefore, respected by the

miners generally, as a man of capacity, liked for his *bonhomie*, superficial as they knew it to be, and secretly feared by all those who recalled 'sins unwhipt of justice,' which were the precise traits of character needed by a man in his position.

Sergeant M'Mahon, the second in command of this somewhat minute battalion — have I described that good old warrior before?—was a man to whom not less than to Mr. Merlin the peace of the goldfield population was mainly owing. He was truly an astonishing combination of natural sagacity and acquired wisdom, as recognised in the force. Emigrating from county Mayo in his youth, he had passed his earlier manhood and middle age in the ranks of the New South Wales police. To say that he was shrewd, active, rarely at fault, was to give but little estimate of the unerring half-instinctive accuracy with which he pounced upon a criminal, if wanted, like a lurcher upon a leveret. An immensely powerful man, with a fair share of activity, he was invincible at close quarters, armed as he was with the terrors and majesty of the law, which he had, so to speak, incorporated with his own personal presence, until no

man could separate them. His air of authority and grave official dignity soared far beyond all vain attempt at description. Kings might be regal of aspect and Emperors unapproachably grand, but the sergeant's majesty of demeanour was, perhaps, not exceeded by any crowned head in the universe.

A steady reader, he had mastered the intricacies and forms of ordinary police-court law to such an extent that few of the stipendiary magistrates, and none of the unpaid justices, could successfully contravene his legal dicta; while, in the matter of foresight and discretion, he possessed a fund which would have set up an ordinary Lieutenant-Governor, or a couple of chairmen of Quarter-Sessions.

The old Adam—not to mention the eager tameless spirit of the Western Celt—occasionally displayed itself, lighting up the dark gray eye, and changing the quiet, unimpassioned tones. But rarely was such a manifestation descried by the laity. Respectful to his superiors, firm yet reasonable with his subordinates, carefully civil or humorously polite to the general population, sudden and startling in any *coup d'état* the hour for which had arrived, the sergeant

was a man whose successful aim in life was to prevent minor revolutions, and who only needed a national one to have become a General of Division.

Like many of the generals of the empire, a slight solecism here and there might be observable in his speech. But the courage, coolness, and organisation were there, and a natural consciousness of power about the man effectually prevented any appearance of incongruity, bordering on ridicule.

Mounted troopers and foot constables composed the contingent. Their duty was to arrest, or cause to be summoned to the police court, all such as betrayed themselves ignorant of the statute law of Great Britain, as adopted in the colonies, by committing breaches thereof.

It might seem futile to punish such offences as ordinary drunkenness or evil speech in the streets of a mining township by fine or imprisonment. Nevertheless the thing was done, and done effectually. Every offence against the law was taken cognisance of instantly, dealt with promptly, and punished sharply. All knew what they had to expect. The administration of justice was entirely impartial, and the law was

backed up by the whole force of genuine diggers. They knew full well—being, perhaps, the most intelligent, experienced, and, so to speak, cultured class of *ouvriers* in the world—that the strong arm of the law would only be weakened to the detriment of the whole society.

As for petty mining thefts, the stealing of small articles of value, of wash-dirt or auriferous drift—these offences were so manifestly contemptible as well as immoral, that the whole field, as one man, worked for the detection and apprehension of the offender, who had no more chance than a lurcher among a pack of hounds. There was no lynching, however,—the invariable result of a weak executive. Once handed over to the 'secular arm,' all were assured that justice would be done. Six months' imprisonment, even in the case of the smallest value stolen, might be taken to be a sufficient deterrent penalty.

It was true enough that the whole population did not consist of industrious, straightforward miners. Every army has its fringe of camp-followers, wretches who murder the dying and strip the dead. The great mining army of Yatala was not exempt from this ghoul-like

accompaniment. Harpies of every length of beak and talon full surely congregate wherever gold is plentiful on this earth. There it was unearthed daily, to the value of thousands, of tens of thousands of pounds. Gamblers and thieves, men and women of the worst reputation, flock to a new rush. Among these there were men known to have committed one murder—suspected of more. But their persons were known, and their every act and word carefully watched. There was little chance of indiscriminate pillage or death-dealing at Yatala.

CHAPTER VII

Some difficulty was encountered in quelling the gambling mania among the Chinese. Watchful and cunning, though they were in the habit of congregating to play 'fan-tan' for largish sums, the police never could catch them. One fortunate evening the sergeant surrounded the house of Mr. Lin Yun, and captured thirty-five Mongolians in all, bringing with him, in triumph, their strange instruments, their copper and brass counters, and all kinds of collateral evidences. A handy interpreter was found, and the upshot was that Lin Yun was fined ten pounds, and the rest five pounds each, with a threat of imprisonment for the next offence. This broke up the confederacy.

When the Chinese are in excess of, or nearly approach in number the white population, they are difficult to manage. It was not so as yet

in Yatala, though a time came. As traders or labourers, house servants or gardeners, they were more industrious than and as trustworthy as the whites; while their breaches of the law were by no means numerous, considering their proportion to the population. After a quarrel in a gambling-house, one Chinaman drew a knife and stabbed another, with whom he had an altercation. The others at once secured him, while a messenger ran to report to the sergeant, by whom the culprit was at once carried into captivity. He was subsequently committed for trial in due course, the court-house being crowded with his countrymen, and at the assizes found guilty and sentenced to death. His sentence was, however, commuted to imprisonment for life.

Looking back upon that exceptional, perhaps abnormal settlement, of which, however, I was for some years so completely a part that I doubted at times if my old life at Dibblestowe Leys, with my visits to Allerton Court, and my morning tramplings over the brown fallows, had not been a dream, and this my true and real existence, I see many things to be admired as well as some which were to be deplored and condemned.

Let me here testify of my own knowledge and experience to a much more than ordinary amount of Christianity. By this I mean that adoption of the spirit of our religion which finds vent in sympathy, charity, and abstinence from evil speaking and evil judging.

The main body of miners are, by circumstances, led to assume much of the demeanour and mode of thought which prevails in club life. They have graduated in the University of Travel, and are in a general way too experienced as gentlemen adventurers, and men of the world, to go blurting out their sentiments, like simple villagers, upon every tiny question of manners and morals that arises. Prompt and decided in action when need arises, they fully appreciate these qualities in their rulers. But they exercise a large measure of toleration, and have learned very thoroughly the high expediency of each man minding his own business. Only watch their bearing in the case of the family of a dead comrade, of hospital funds, of sudden misfortune or bereavement, of undeserved obloquy. I have never seen any body of men, in any land, so ready of hand in relief,

so prompt and generous in aid, so delicate and effusive in sympathy.

A modern community is incomplete without its newspaper. At Yatala there were two, diametrically opposed, of course, in law, religion, and politics. One journal was strictly conservative, upholding the Government, with the administration of justice, and all things and persons pertaining thereto. The other, the *Watchman*, was democratic, not to say destructive, scoffing at the constituted authorities, sneering at the police, badgering the magistrates, impeaching the Commissioner himself, and continually calling on the great body of miners 'to assemble in the night and sweep away all tyrants and goldfields officials, together with the absurd contradictory regulations which hampered their honest efforts and trammelled their virtuous industry.' The editor of this exciting, not to say inflammatory journal, was named Fitzgerald Keene.

Clever, fairly educated, and morally unprejudiced, he, like another historical scribe, was quite capable of raising a wale upon that epidermis which it suited him to thong, whenever such to him seemed necessary for the

purpose of the hour. Ingenious in discovering the weak point of an adversary, he would concentrate and exaggerate until the uninitiated were almost fain to believe that there *must* be some ground for this furious invective, this wholesale denunciation.

When once he had singled out an official for attack, no part of the whole moral surface seemed to escape him. Caution was cowardice and irresolution, pitiful indecision, conscious incompetence ; firmness was obstinacy ; decision was tyranny ; coolness was contempt of the toiling masses ; silence was dumb idiocy ; speech in explanation was drivelling insanity or ludicrous display of ignorance. There was no pleasing him.

'The only cure (of course) for all this miserable official muddling and disgraceful apathy on the part of an effete and corrupt Government that stood tamely by while a great interest was being plundered and blundered through daily, was that the hardy and intelligent miners of Yatala should "roll up," and take the law, the government, the land, and the gold into their own hands.'

After reading one of these anti-monarchical

productions, Mr. Merlin, with his customary coolness, intimated to the editor that it was very well written—so much so, that he himself would not be surprised if some fine day it, or a similar proclamation, did actually arouse the mining population to some mad revolutionary act; in which case he would take upon himself to arrest the author of the whole mischief—the writer himself—and that he would so far honour him as to make the arrest with his, Merlin's, own hands.

Mr Keene turned rather pale at this piece of voluntary information, which he did *not* work up into a 'paragraph.' For some weeks afterwards there was decidedly less red pepper in the leading articles of the *Watchman*.

It was not to be supposed that the rough and ready partition of twenty or thirty tons of gold, to the value of something under two millions of pounds sterling, was to be effected without a little litigation. Law, of course, there was in abundance, and a very good thing, too, though it bore hard upon our particular party. The vulgar error arises that disputes are more easily settled without law or lawyers. Such is by no means the case. Unlearned people, when the

casus belli is presumably important, are tedious and difficult to deal with. Unaware of the nature of evidence, they waste the time of the court far more than any professional men, however prone to take objections.

In order to lay down the law there must of necessity be lawyers. At Yatala there were four, who not infrequently had their hands full between police cases, civil processes, and mining suits. When it is borne in mind that the mining laws, as settled by statute and the regulations founded thereon, were in some instances intricate and perhaps ambiguous, that a large discretionary power was vested in the Commissioner, and that a cheap and accessible court of appeal existed,—a rehearing before two magistrates, who were empowered to reverse the most elaborate decision of a Commissioner, if they saw fit,—it may be calculated how many suits came on for hearing before our administrators, and how crowded the court-house was on nearly every day in the week.

The legal gentlemen consisted of duly qualified solicitors. Such only were empowered to plead and conduct cases before the court on behalf of clients. No miner was debarred from

pleading his own cause, but he was not permitted to cross-examine witnesses, or to address the court on behalf of another. It was held that such conduct would trench on the vested rights and privileges of professional gentlemen. And, as all matters were settled at Yatala—notwithstanding it was a goldfield, and a diggings in far-away Australia—principally and in accordance with 'the law of England, in that case made and provided,' and not as ardent reformers chose to suggest, so the status of the profession was upheld.

The chief personages among the band of advocates, who occasionally pocketed in a week fees that would have made a junior barrister's mouth water, were Mr. Markham and Mr. Cramp. They were nearly always employed on different sides, and either had or simulated a distinct personal antagonism—whether merely forensic or otherwise it was difficult to determine; but the fierceness of their tones, the bitterness of their sarcasms, the desperate tenacity with which they fought over the last shred of the probability of victory, with the power and elaboration of their addresses to the court, would have stamped them as advocates of a high order before any tribunal.

There was, perhaps, no great difference in their legal attainments. In mining experience they were level. Both had paid in hard cash, in common with all outside speculators, for whatever trustworthy knowledge of actual mining they had gained. No wonder that they threw sufficient energy into their advocacy of mining suits, when it was no uncommon thing in the flush times of a goldfield for the lawyer on either side to receive a half or quarter sleeping share in the mining property at stake. In one instance a quarter share so given, or promised, realised within a short space of time no less a sum than two thousand three hundred pounds sterling.

Mr. Markham was a ruddy-faced, full-whiskered, middle-aged bachelor. He apparently kicked all care behind him, and thought of nothing but his business during the day, with a steady game of whist in the evening, and a few congenial friends with whom to share the flowing bowl, which regularly at 11 P.M. made its appearance in the shape of whisky and water. His friends said he was a man of regular habits, and knew exactly how much was good for him. His enemies said that he drank hard, if regularly,

and was undermining his constitution. They called him careless, indolent, and fitful in the discharge of his duties. His friends (and they were many and less lukewarm than such easy-going well-wishers generally are) averred that no more watchful and *rusé* diplomatist ever veiled consummate art under a carefully careless manner. However that might be, Mr. Markham had a pretty high average of verdicts to score to his legal bat, and in all leading mining or criminal cases some curiosity was always displayed to know which side Markham was on.

A family man, of staid and austere morals, Mr. Cramp had his own good points, and was valued accordingly. He was closely and technically acquainted with mining and common law to an extent that made him a dangerous antagonist, when anything was to be gained by a fatal objection. When a point of law happened to be in his favour he would seize upon it and shake it, as a learned judge remarked, 'like a dog shaking a rat.' There was no fear of a Bench or a Commissioner forgetting his vantage-ground, once he descried it. Painstaking and perspicuous, he was dangerous with

a bad case, and irresistible with a good one. A tendency to irritability, of which his adversaries occasionally made use, was perhaps his weak point. But he was conscious of this defect, and under ordinary circumstances refused to 'rise' to any bait, however tempting.

Of the other two professional gentlemen, one was a Frenchman, who had successfully mastered the difficulties of our English tongue, as well as the intricacy of our laws. He was indeed a man of unusual talent—an orator, a logician, a tribune of the people, a republican of very advanced opinions. But for the genuine British distrust of a foreigner, Dr. Bellair would have taken a high rank as a political leader as well as a lawyer and a physician. But the invincible British prejudice against 'a Eyetalian, a Mossoo, or summat o' that there sort,' was sufficient to neutralise the fire of his oratory, the fervour of his philanthropy, and the ardour of his (adopted) patriotism. The Bench had occasionally great difficulty in controlling him; his temper was utterly unmanageable, and occasionally landed him in disrespectful allusions to the quality of the law as at Yatala administered. The magis-

trates with much tact and kindness bore with him, trusting to his sense of propriety, which was delicate, to bring matters round. But the Commissioner, who was too awful a potentate to be bearded with impunity, had once sworn that he would incarcerate him in that provisional dungeon, 'the Logs,' if he did not then and there apologise and retract certain words, which he accordingly, with a bad grace, consented to do.

The fourth advocate was an elderly gentleman, who had formerly enjoyed a large metropolitan experience, and a well-deserved reputation for exactitude in the recollection of statutory enactments from Carolus I. upwards. He was scarcely so familiar with the subtleties of mining law and phraseology as his younger brethren, and though as good as ever in the labyrinth of common law, found a difficulty in adapting himself to these latter-day developments. However, so great was the general press of legal exercise that he had his hands full, and was rarely without more business than he could get through at his somewhat steady pace.

However, for some few weeks there came

one of those lulls and seasons of depression which occasionally take place on goldfields. None of the claims, except the Nova Scotia, had been yielding richly for some time. We had cleared out from that unlucky neighbourhood, and were down fifty feet on the Liberator Lead, so called after the great Dan O'Connell, a party of whose countrymen had taken up a prospecting claim, of which strong hopes were entertained. So much confidence was felt that the value of shares all along the lead were steadily rising, and we, in No. 4, began to hope that we might be in for a good thing at last.

That man must be inconsiderable of mark, extremely cautious, or unnaturally inoffensive, who does not possess enemies. Among these natural antagonists, who seem born for the chief purpose of working evil to foredoomed men and women, one individual always stands prominently forward. Whether fostered by chance or developed by circumstances, the enmity is unmistakable. Deadly, unsleeping hate fills the whole nature of the creature. And they are exceptionally fortunate for whom the gods act as shield and buckler, so that the

evil eye is dimmed, and the renegade from civilisation foiled.

The dangerous classes of Yatala, very fully represented at times, held among their evil celebrities a man named Algernon Malgrade. He had been known by name to me before I left England as a gambler and a low profligate. By birth one of an old county family, he was shunned by acquaintances and scouted by relatives. More than one shady transaction had left him not wholly unscathed. Toleration is long extended to the merely extravagant and selfish spendthrift, so long as certain society laws are not infringed. But at length a day came when a wholly unpardonable escapade caused Algy Mal, as his friends and humble imitators called him, to be 'cut' beyond all hope of rehabilitation. The fiat of expulsion from the inner circle is often delayed; but when it once goes forth the sentence is stern and irrevocable. Malgrade strove against it, with a sneer and a mocking laugh, for a while. But the odds were too great, and one fine day, like many another bad bargain, the goldfields of Australia were enriched by his presence and example.

We met at Yatala soon after his arrival. Flush of money, as not having wholly exhausted his outfit, he was looked up to by the, perhaps, not fastidious set with which he chose to ally himself. He was by way of greeting me as an old acquaintance. We had met more than once, but I repelled his overtures, and showed his companions plainly that I meant to keep clear of him. From that moment the whole evil nature of the man seemed to concentrate itself in a settled and passionate hatred, as violent as it was irrational.

In a score of different ways he soon announced himself as my sworn foe and antagonist. At all the meetings upon matters of local interest we invariably were ranged on opposite sides. He was not without talent; indeed, he possessed a superabundance of natural gifts, which he might have turned to material advantage had he listed. He had a persuasive manner of talking when he cared to hide the unclean spirit which dwelt ever within him. He was accomplished, graceful, and, as far as animal courage went, utterly fearless. Reckless and remorseless, he needed but mediæval power to have furnished a true

type of the Visconti of old, sparing neither man in his anger nor woman in his lust. In these modern days, and under the democratic miner rule, such personages are only covertly dangerous.

At the amiable Algy, therefore, we could afford to laugh, and the Major, more than once, caused the evil sneer to deepen by carelessly inquiring whether he had heard from home lately, or whether a club to which they both formerly belonged was still as celebrated for its Madeira as ever. From this abode of bliss we knew that Malgrade had been driven forth by a well-nigh unanimous ballot of the members.

Though I had the worst possible opinion of his heart, and regarded the man's intellect as merely subservient to his appetites, I could not for the life of me return his detestation of me in kind, or cease to take a certain interest in his actions. For one thing, he was wonderfully good-looking. His recklessly indulged passions had, *as yet*, written no evil record upon face or form. The fair hair was still bright, the blue eyes still steadfast and clear. And a certain appearance of fallen-angel pride clung to him in the midst of his degradation. I could

not help cherishing a dim hope that some day he might thrust from him the foul incrustation of vice and crime, and return to his natural position among men.

The Major never omitted to laugh at my credulous optimisms, and to sneer at my ignorance of the world, on these occasions.

'You ought to know a thing or two by this time, Harry, but I doubt if you ever will,' he would say. 'If a man doesn't pick up an accurate method of gauging the moral attributes of his fellow-men at a goldfield he will never analyse worth a cent. And here you are, just as much carried away by this infernal scoundrel's regular features and soft voice, as that handsome pantheress that he's stolen somewhere. She'll poison him some day or he'll knock *her* brains out, I feel certain. And what the loss to society would be in either case, I should fear to over-estimate by the faintest expression of regret.'

'You are rather too hard on the other side,' I made answer. 'You have no sympathy for human weakness. I say that it is a piteous thing to see the decadence of creatures originally noble and formed for higher things.'

'Bah!' retorted my unconvinced friend. 'Do you remember what Athos and Co. did with Miladi? That she-devil of a Dolores—she's no more Spanish than I am Greek—will give you a rough turn, as Cyrus would say, some day, if you let her so much as *look* at you—"I think I knows 'em!"'

All of a sudden, without any previous warning, a wonderful rumour arose that the prospectors in the Liberator Lead had struck incredible gold. Although they had not yet announced it, the excitement occasioned by this statement was astounding to those who had never known the tremendous force of the passions which, from time to time, stir the crowds which make up a goldfield's population. At one moment you would imagine them to be the most logical, law-abiding body of men in the world; at another time a brigade of red republicans would be liberal conservatives compared to them. In this instance no one but an eye-witness could have credited the turmoil which arose. As the report was soon passed around in every paper in the colony, strangers began to arrive within a month of the first announcement, whose worn draught animals

and vehicles told of far and fast journeying. Every unoccupied person, male or female, young or old, from Yatala and within twenty miles of it, was apparently massed around the wings of the famed Liberator Lead. Daily the numbers swelled. The forest was felled. Huts were erected in all directions. Tents were like the sands of the sea for multitude, or the advance guard of an army. All was eager excitement and feverish expectation. The prospectors of the Liberator, as of every other lead or course of auriferous deposit, were bound by the regulations then in force to report 'payable gold' as soon as such had been struck, and to hoist a red flag as denoting the discovery. In default of such advertisement, for the general benefit, they were liable, according to custom and practice, to have their claim 'jumped' or taken forcible possession of by any party of miners who could prove that they were concealing the golden reality.

The prospectors made no sign. They refused to state precisely what the indications were. They simply declared that they had not as yet 'bottomed' or sunk down to the alluvial drift, immediately above the bed rock, and which

alone is likely to be auriferous. Some of the impatient holders of claims on 'the line' frontage, and others, who were merely 'blockers' or the occupants of ordinary chance claims, anywhere in the vicinity, were more than impatient—they were threatening and abusive. They insisted that the shareholders were 'on gold,' for their own purposes hiding the nature of the deposit, cheating the public, disobeying the regulations, and injuring their fellow-miners.

The chief man of the party, a grand-looking herculean Milesian, quietly rejoined that they had not bottomed yet, that they had nothing to show or report, though the indications were good, that when the time came they would at once report at the Commissioner's office. In the meantime they would answer no questions, nor let any one go down their shaft, except by order of the Commissioner.

That gentleman, who had condescended to appear on the occasion, and who began to realise that a crisis was approaching, asked Mr. Phelim O'Shaughnessy how long they expected to be, the sinking being easy, before they were on the drift.

'About a week.'

'Then on this day week I will be here,' said Captain Blake, addressing himself both to the speaker and the mob, 'and on that day, whether gold be reported or otherwise, I will send down two men to examine the workings and to report to me.'

'All right, your honour,' replied Phelim. 'There's no two ways about us. Any one your honour likes to send down is welcome, but we're not going to let all the rapscallions in the country down our shaft just because they happen to think we're to slave and murther ourselves intirely for their convanience—to find gold for the likes o' them—coch 'em up, indeed; the lazy naygurs.'

At ten o'clock in the morning of Monday, the 17th May, which was the day week following, the Commissioner sat on his horse beside the shaft, in much the same careless attitude as before. But the scene was changed in some important particulars. Gold had been duly reported. A red flag proudly flaunted from a lofty pole in front of the claim, while a crowd of five thousand souls, eager, earnest, dangerously roused at once by the strong passions of greed and anxiety, swayed and surged around the little group.

On a new and presumably rich lead it was no unusual matter to see a concourse of this kind. But rarely was there so much feeling shown as here. Rarely were there so many knitted brows and scowling faces; rarely so much savage and insubordinate language. How had it all come about? Mr. Merlin, with a couple of troopers, well armed and mounted, rode behind the Commissioner. Why was this semi-warlike accompaniment?

The solution was this. A short time previous several fresh regulations had been drafted, and had become law, which to a certain extent altered the existing customs, more particularly as regarded frontage.

That which more particularly affected the present question was Regulation 22, reciting as follows:—

'When the sinking in new ground shall be found not to reach a depth of a hundred feet in dry ground, or sixty feet in wet or rocky ground, of which the bottoming of three or more shafts on the supposed line of lead shall be a sufficient test, unless the Commissioner shall specially sanction a further testing, all marking on the line of lead *shall be null and void, and the ground*

shall be open for taking up claims in the block form, the frontage holders having a preference to select their claims in rotation, according to their priority of occupation on the supposed lead.'

This then was it which so agitated the seething human mass, which by this time included, as well as the true miner, men of every rank, trade, and occupation, lured to the banks of the Waraldah Creek by the widely exaggerated reports which had gone forth.

So much depended upon the accident of the golden drift being struck at a foot or two *below* instead of above the magic number of a hundred feet.

Should this rich deposit be proved to lie at or beneath the specified depth, the rich claims, already numbered and registered as far as fifty, down the lead, would belong only and inalienably to those who had months before occupied and registered them according to law.

But should the golden seed of discord repose upon a drift shallower than the regulation number of feet, every man in the crowd might deem that he had a share in the golden subterraneous channel; possibly might delve

within a fortnight into a recess as rich as that of Aladdin, or of the one to which Ali Baba procured the *entrée* at so great personal risk.

But would the Commissioner pronounce the 'open sesame'? For it lay with him—with him only rested the responsibility, graver than often befalls one man in a century, of dashing to the ground the hopes of a body of hard-working legitimate miners, or of unloosing the flood of half-infuriated physical force, which needed but one word from his lips to burst the bonds of restraint. The anxious chafing thousands were only too ready to scatter themselves with pick and shovel, a swarm of human locusts, upon the golden ground which they seemed to devour with their eyes.

The word was 'Block.' But would Captain Blake utter it?

There was much to be done yet. Both sides were strongly represented—legally, officially, socially, as well as numerically.

> 'And many a banner will be torn,
> And many a knight to earth be borne,
> And many a sheaf of arrows spent,
> Ere Scotland's King shall cross the Trent.'

'In the first place, I shall send down two

practical miners to examine the wash,' quoth he. 'I intend to satisfy myself as to the fact of payable gold to begin with.'

He looked around—scanning the faces of the miners nearest to him—on the crowd.

'Here, Tom Denman, and you, Geordie, my boy, get away down and send up a couple of dishes of wash-dirt. Then we shall all see if it's worth fighting about, and not have a row about nothing.'

Two stalwart miners stepped forward, and the man called Geordie, a middle-sized but tremendously muscular specimen from 'cannie Newcassel,' putting his foot in a loop of the rope, closed his hands upon it above his head, and was rapidly lowered down. In a few minutes the rope came up empty, and Tom Denman descended.

In less than a quarter of an hour the hammer indicator rose and fell upon its tin sheet, whereupon the raw-hide bucket used for the purpose brought to light a collection of sand, quartz fragments, rounded pebbles, and gritty greenish clay-loam. This was unanimously pronounced a 'very nice wash,' and being placed in a couple of tin dishes beneath the strict supervision of

the Commissioner, was taken to a neighbouring pool of water and placed in readiness for the two miners who had excavated it. These returned gnomes having been brought to light, at once commenced to 'pan off,' according to the recognised rule and practice.

Dipping the full dish into the pool, each man held the vessel aslant while he washed among the gravel and small stones, permitting the water to flow uninterruptedly over and away from the wash-dirt. The clay-stained water assumed a bright yellow hue. As the stones became cleared of the encrusting dirt, the miner carefully examined them for traces of adhering gold and then threw them on one side. Gradually the sand and clay disappeared over the rim, in the unvaried steady flow of water, the dish being held slightly downwards and off the level.

The sandy deposit at the bottom grew finer and finer, as with a peculiar half-circular motion the water and the outer grains were ejected and the heavier particles retained. At length there remained but a narrow segment of darkish sand at the bottom of each dish, while plain for all to see was a streak of deep though dull

yellow particles, chiefly fine in grain, but sprinkled with coarser grains, some of which were of the size of wheat.

'Here you are, sir,' quoth Tom Denman, exhibiting the residuum respectfully to the Commissioner. 'There's no mistake about that. Geordie and I took these from different parts of "the face." I haven't seen such a prospect for some time. A good half-ounce to the dish, and Geordie's, I can see from here, is better.'

'I declare the Prospecting Claim of the Liberator Lead,' said the Commissioner, passing the dish to the nearest of the eager crowd, 'to be in possession of payable gold.'

The first man who looked at it shouted out, 'Half an ounce to the dish,' and threw up his hat. Hundreds, of course, were not near enough to see, but the tone and the action were sufficient. A cheer rose from the vast multitude that roused the wallaroos in the sandstone spurs of the Dividing Range miles away.

'The next thing to determine,' said the Commissioner, 'is the depth of sinking. A good deal will depend upon that. One of

you men give my compliments to Mr. Underlay, the mining surveyor, and ask him if he will come here. I wish him to measure this shaft. I know he is not far off.'

'It's never a hundred feet sinking,' yelled an excited miner, in a ragged red shirt. 'All the field knows it ain't much over ninety. They may have bin and sunk through the bottom to make it handy for their friends in No. 1 and 2, where they've got half shares. But there's no hundred feet in it, and it ought to be "block" out and out, this blessed minit.'

Here the multitude caught up the word, and sounded it over and over again in a vast reverberating chorus. For nearly a quarter of an hour nothing could be heard but 'block' —'block'—'block.'

'What the devil do you mean by making all that row, you fellows?' said the Commissioner irascibly. 'Do you think it will make any difference in *my* decision if you yelled yourselves hoarse and shouted till doomsday? Thank you, Mr. Underlay,' he continued, with a rapid change of manner. 'Will you have the goodness to go down this shaft and measure the exact depth from the surface to

the top of the "wash." That I shall take leave to consider to be the real depth of sinking.'

Before he had well done speaking, Mr. Underlay, the mining surveyor, an active, resolute-looking youngster, had his hand upon the rope, and was on his way towards the lower regions. After a short sojourn he re-appeared, holding a tape-line, and after comparing and verifying his measurements, pronounced the words 'Ninety-eight feet eleven inches.'

Again a wild cheer rent the air, while the excited individuals of the outer crowd so pushed inwards under the impression that 'block' was to be declared, and claims given away there and then, that the Commissioner's horse began to get impatient, and Mr. Merlin and his troopers were under the necessity of turning round their chargers several times, which resulted in inconvenience to the toes and other portions of the frames of the van-guard.

'Understand once and for all,' said Captain Blake, 'that by Regulation No. 22 I am bound to allow three shafts to be bottomed on gold,

on the course of the lead, before I finally decide upon the average depth of sinking, and before I declare the lead to be worked either under block or frontage. I shall, therefore, return this day week at the same hour. If the requisite number of shafts have been bottomed on the lead by that period, I will deliver my decision as to the question of block or frontage.'

Then a hoarse roar arose from the crowd, as of some hungry monster baulked of its prey. But further remonstrance or interference was not thought of. The Captain rode carelessly and peacefully homeward, lighting his cigar, and calling to his dogs, as if no such torments as gold and gold diggers, prospectors and claim-holders, frontage men and blockers, existed upon the hardly entreated earth.

CHAPTER VIII

It is not to be supposed that our party added in any way to this state of incipient disorder, though we had taken up No. 4 North under the old frontage system and were sinking with might and main to get down and know our fate. We had every reason to think our claim would be unusually good. The indications in the prospecting shaft disclosed 'a show' of which the oldest miners spoke with bated breath.

But where the coming decision touched us, and the other frontage men, was in this wise: if we happened to drop right down on the 'gutter,' or main course of the lead, we were all right; we should be allowed so many days to mark out our claim of a hundred and sixty feet, forty feet a man along the lead, and two hundred back, and it would be all right. That

area of ground, *all on gold*, was a very fair allowance for four men.

But if we were *not* exactly on the course of the lead, but a little to the right or left of it, and if the block system was declared next week, matters would be very different. We should have to mark out our claim there and then. It could not afterwards be altered by a single inch. This would have to be done at haphazard, instead of by cautious 'proving' the ground, as under the frontage system. And if we missed the lead it might be taken possession of by any random blocker, just pitchforked here from another colony. We should lose the reward of months and years of work, the certainty we had a right to expect when we registered under the frontage system.

In the interim much agitation took place. Councils and caucuses were held. Letters and petitions despatched profusely to the Minister for Lands, who in those days held ultimate control over all mining affairs. The newspapers exhausted themselves in leading articles, each tending to exalt and glorify a different mining policy.

One gave a strictly conservative support to

authority. 'The frontage system, framed as it was with the advice of experienced officials, was considered by intelligent miners to afford a highly needful guarantee for capital invested in mining enterprise. Without capital there would be little mining worthy of the name, more particularly where, as in Yatala, the difficulties of piercing the basaltic strata, and of subduing the flow of subterranean streams, had to be surmounted. Still it was the opinion of many competent authorities that the frontage system had had its day. The field had been for some time in a languishing state. Many hard-working men were out of employment. There were specific regulations which had to be interpreted with a literal exactitude independently of personal feeling or private interest. And no one who knew Commissioner Blake doubted but that he would decide according to the letter of the law, and carry out that decision with unbending firmness.' Thus the *Beacon*.

This was the opportunity which the opposition journal had been waiting. And cheerfully did Mr. Fitzgerald Keene avail himself of the happy convention of circumstances.

'Many occasions had arisen during the last decade of shameless oppression and official incompetency, when the long-suffering mining community, comprising a singularly large proportion of the intelligence, the energy, and the industrial enterprise of the land, might have spoken out with effect. True to their law-abiding instincts, they had hitherto remained loyal to the Crown, and obedient if not humble before constituted authority. But now the time had come, the hour had struck, when they must proclaim themselves to be freemen or for ever endure to be known and treated as slaves. Under the iniquitous mining statutes, and the still more contemptible mining regulations, their intelligence had been stultified, their freedom had been mocked, their opinions derided, and their industry fettered.

'Still there had been a pretence of fair play —there had been a tendency, erratic as had been the course pursued, in the right direction. Now, in this thrice accursed muddle which had taken place at The Liberator, would the herd of down-trampled miners, *numerically the strongest body* of labourers in the land, stand by and consent to their own ruin and spoliation? Was

there not a man from old Ballarat to utter the magic words "roll up"?

'And would a monster meeting separate without compelling present safety, and exacting material guarantees for the future?'

It was not altogether a sterile soil into which these seeds of revolution were so recklessly cast. It was a mob. Though vastly superior, as I have elsewhere stated, in its composition to most other mobs, it yet possessed their inherent characteristics. By the turn of a straw its action might have oscillated from good to evil, from patience and obedience to insubordination and wildest excess.

Among other expedients and demonstrations of the time, each party favoured large and imposing deputations. One day the frontage men and their adherents, backers, friends, acquaintances, etc., would march into town, several hundred strong, with banners flying and a band of music, to which a drum of sonorous, mysterious power lent effect. Forming in front of the Commissioner's office, they would request an audience.

When that gentleman sent word to say that he would consent to see them as soon as he had

completed his immediate business, the crack speaker of the connection would be detailed for the occasion. When he appeared, that gifted person would fire away at the unmoved Commissioner for twenty minutes or so without a check.

'He could inform him that the honest and legitimate miners whom he saw now assembled had come to lay their grievances respectfully before him, and to ask him if he was minded to have mercy upon them, upon their helpless wives and children, depending upon their rights as holders of frontage claims for bread; or was he going to be carried away by the senseless clamour of a mob of strangers and adventurers, who had not a shred of title to the land they sought to plunder. Had not they, the frontage men, conformed to the laws laid down by the Government closely and obediently; had they not duly registered their claims, incurred debts from their storekeepers and business men on the field on the strength of the security of tenure guaranteed by the frontage system? And now, after waiting for days, and weeks, and months, were they to be told that, because a new and unjust regulation had been made, because the

first few shafts on the lead had not proved to be the full hundred feet in depth, they were to be turned out of their property ?—for it was as much theirs while they paid for their Miner's Right as the lands of Mr. Howard or Mr. Stanley, neighbouring country gentlemen. Were they to be turned out of their claims just when they were seen to be worth holding ? No! They were honest men and loyal subjects, but there was a point beyond which men could not be urged. If justice were not given them in this matter, bloodshed would be the end of it. They said it sorrowfully but firmly, and upon the heads of the Government the crime would rest.'

The speaker, who was a bachelor, and had last week had a quarter share in a frontage claim given to him as a retaining fee, almost wept at this point, and, with a look of sorrowful but manly appeal, closed his address amid cheers and applause.

The Commissioner always heard out such addresses, knowing from long experience that when a grievance has been rankling in the breasts of men, ordinarily silent about their dissatisfactions, nothing is more unsafe than to deny a hearing when they demand one.

'You may do as you please about granting their petitions,' he was wont to say. 'You may do what they don't like, or do nothing at all. But if you wish to rule large bodies of men peaceably, always hear what they have got to say. It is an inestimable safety valve.'

So Captain Blake listened to the eloquent miners' advocate, and gazed at him and the assembled crowd with an approving and benevolent expression. At the end of the oration he told them that 'he was sorry for them personally, if by any act of his, in carrying out the regulations, they should lose their claims on the Liberator Lead, some of which to his knowledge had been held, in despite of difficulty and privation, for many months. But, above all, it would depend upon what proof was furnished to him of the depth of the sinking, and upon other particulars which would bring their claims under the provisions of the mining regulations. He would examine most carefully the evidence and those sections which bore upon the case in point. After that he would give his decision. He would frame that decision most elaborately, so that it should be in accordance with the law. And when it was

given he should see that it was carried out. That was all he had to say to them.'

Whereupon they always thanked him for his courtesy and departed. The Commissioner went back into his office. The band struck up afresh, and the excited crowd dispersed, to walk six or seven miles back again.

A report would soon arise, that they had stated their case to the Commissioner with such power and pathos—the orator of the deputation would, perhaps, be responsible for this—that he had promised to decide in favour of the frontage men. The blockers, being thereby infuriated, would resolve to come in and state *their* wrongs. Being, as the proletariat, much more numerous than the frontage holders, who represented capital, they would 'roll up' so successfully that a crowd more than a thousand strong would, on the appointed day, be seen marching in a tremendous long line, four abreast, down the main street of the town, halting finally at the Commissioner's office. That much tried official would certainly begin a sentence with blank and end it with the same, placing divers other blanks in the middle, all having reference to the eyes and future prospects of the majority of

the members of the band and the personages of the deputation.

After thus blowing off the steam, he would meet them at the door, and listen tranquilly to what they had to say. Then the advanced democrat who was their philosopher and spokesman would thus open the trenches—

'As miners, and as men, they had come there to-day, not with any intention of threatening or intimidation'—the Captain looked quietly at the speaker as he said this, who passed on to the next sentence—'but to protest mildly yet firmly, as became legitimate miners, against any monopoly of the field, whether it was by men claiming to be frontage holders, or any others, he cared not who they might be, or what they were called.

'If they were not all experienced miners who were here assembled this day, they all were the holders of Miners' Rights—many of them had families—many had helpless relatives depending upon them. Some had come from a distance, it is true. But what of that? As long as they were at this moment dwellers in New South Wales, they had as much right to a fair share of any payable ground that turned up as the

Governor himself. All they wanted was justice and impartiality. Let every man be allowed to mark out his claim, and get gold or not as his luck went. The law said, if the ground was under a hundred feet deep it was no frontage, and must be worked on the block. All they wanted was the law. The Commissioner was appointed to carry out the law, fair and equal, between man and man. They knew very well that the Liberator Lead was no frontage lead—but block, that is, ground to be worked in ordinary block claims. And block they hoped the Commissioner would declare it to be. It would be better for the whole field, and not leave the gold that was intended for the country at large in the hands of a few.'

To this the Commissioner would reply that 'he would very closely examine the ground when three or more shafts had been bottomed on the lead, and would then give his decision in accordance with the strict law of the case. They might depend upon that being done when the time came, that is, when that number had been bottomed. Until that time came, he could not, of course, tell them what his decision would be. He hoped it would be found to be accord-

ing to law, and excepting by the Appeal Court there was not much chance of its being altered.'

The speaker then essayed to get another hearing, reminding the Commissioner that 'they represented four thousand men. They were not going to boast or make threats; but they were determined to have justice, peaceably, if possible, but if justice was denied them they would consider the advisability of using the power which their numbers gave them.'

At this point the Captain's patience—for the most part an algebraic or unknown quantity—abruptly gave out. He reminded the speaker that the miners had never gained anything by physical force in New South Wales, and as long as he had anything to do with mining, he trusted they never would. He had said all he had to say. They had fully explained their case, and could add nothing more, it appeared, but empty threats, which were utterly contemptible. He was busy now and begged to retire. Then he went in and closed the door.

In consequence of the reported 'bottoming' of certain shafts, punctually to the hour on the morning appointed, the Commissioner rode up

to the Liberator Lead. There was hardly standing room for a mile around. The line of shafts could be traced by the flags which each exhibited. At the Prospectors', being 'on gold,' streamed a red flag, emblem of success. Also on other three shafts, Nos. 1, 2, and 3 North, which had bottomed on the supposed line of lead, thus forming a sufficient test of the depth of the ground according to the conditions of Regulation No. 22.

When the great man appeared, a deep hoarse sound rose indistinctly from the enormous crowd. Fully five thousand men had gathered hours since to wait his approach. His fiat, to be given that day, was looked for with an intensity almost painful to a sympathetic bystander.

Upon Captain Blake alone, apparently, the immense concourse, the strained attention of the masses, the weight of responsibility, had no visible effect. He regarded the whole scene and its peculiar features with haughty immobility.

Riding to the first claim, he said to the men who were 'off work,' and standing at the mouth of their shaft, shareholders of No. 1—

'You are on gold?'

'Yes, sir, we've struck it all right.'

'At what depth?' is the next question.

'Well, about a hundred feet,' they answered.

'I shall send down two men first, and then measure your shaft.'

'All right, Captain.'

Two selected miners, as before, were lowered down the shaft, returning as hitherto, in the case of the Prospectors, with tangible proof of the highly auriferous nature of the deposit.

'So far, so good. Now Mr. Richardson'—here advances the mining surveyor—'have the goodness to measure this shaft.'

Mr. Richardson descends; then, after due delay, regains this upper earth, distinctly enunciating—'Ninety-seven feet five inches.'

At which statement a cheer from the blockers for the first time wakes the forest echoes, and a thousand caps or hats are thrown excitedly into the air.

The same formalities are carefully gone through with No. 2 and No. 3. Each is demonstrated to be 'a golden hole.' When measured, No. 2 is declared to be ninety-three feet and a half, No. 3 ninety-one only. Each declaration elicits a bursting cheer from the majority of the crowd.

Then the Commissioner braces himself, sitting squarely on his horse and confronting the assembled multitude. His address is brief. But rarely have words more power. This only does he say: 'I declare the Liberator Lead to be "on the block."'

This simple word would appear to have converted the whole assemblage into a crowd of raging lunatics. With one mighty cry rather than a shout the crowd broke up, apparently prepared to take immediate possession of the Tom Tidler's ground then and there handed over to them.

'Stop!' roared the Commissioner, in a voice of thunder which dominated the great mob, and almost immediately reduced those within hearing to a listening attitude. 'I give the holders of frontage claims twenty-four hours to mark out their claims in rotation, according to their priority of occupation—the ground will then be open for taking up claims in the block form.'

'I belong to No. 6,' said a tall miner; 'we haven't proved it yet. We hardly know where to take our ground. Won't you give us a day or two more, Captain? It's rather rough on us frontage holders.'

'Not an hour—not a minute,' replied the Commissioner. 'I have adhered strictly to the regulations. I didn't make them, and I can't help the ground not being deeper. That's your affair. I have given my decision, and by the Lord I mean to stick to it. Good-morning, all of you.'

A world of opposing forces and passionate feelings was seething in the hearts of the men to whom he thus bade adieu. That single word 'block' had sufficed to render possible hundreds of working parties, which to-day would be procuring timber, rope, tools, and provisions. At the same hour on the morrow they would be eagerly commencing a shaft, having previously put in the indispensable four pegs, which, with the more necessary Miner's Right, secured an unalienable title to the coveted landed estate.

On the next day, the spot so lately void and bare resembled a human rabbit warren. Everywhere trees were felled. Everywhere the miner was seen, mole-like, burying himself in the orthodox narrow shaft, and throwing up the yellow clay which was the upper stratum. In a week the principal street of the village of O'Connell was a mass of gaudy-looking shops,

filled with every kind of ware—every third house of course a public-house. Vehicles of all kinds crowded the narrow way, and with difficulty threaded the crowd of wayfarers of every age, calling, and nationality. Within a month the four banks were all day long weighing, buying, sifting gold, while bundles of notes and handfuls of sovereigns were handed over the counter with apparently careless confidence.

As soon as the main body of block claims began to bottom, gold flowed in with almost fabulous profusion. And still the rumour grew and increased, until people from the uttermost ends of Australia commenced to leave their ordinary avocations and turn their heads towards the new Eldorado—the great, unprecedented, fabulously rich Liberator Lead near Yatala.

Our party had been exceptionally fortunate. We had No. 4 on the lead. There was neither rock nor water. We had the luck to bottom 'dead on the gutter,' that is, immediately over the defunct river, and to find the whole of its long-buried bed, with the usual admixture of gravel, sand, and waterworn pebbles, richly studded with gold. Occasionally, indeed, we took several ounces of gold from a single dish

of wash-dirt. When it is reckoned that two dishes, in miner's measurement, go to a bucket, and sixty buckets to a load—about a ton of earth—and that half an ounce *to the load* is thought a rich lead, it may be imagined what properties the Liberator claims were held to be.

Our fortunes were made, we all knew. We had about three years' work before us before we could bring 'to grass' our buried treasure—the sands of this long-dead Pactolus of the South.

We were in the proud position of being able to 'put on wages-men,' or hired miners, at three pounds each per week to assist us. We also bought a 'whip horse' for forty-five pounds, which staunch and well-trained animal drew up the precious gravel, and in many ways economised labour. We calculated that if the yield kept up at the present rate, we should clear from fifteen to twenty thousand pounds per man before No. 4 was 'worked out.' This was worth waiting and toiling for.

'Well, Joe,' said I, one day, 'this is better than striking in old Grimsby's forge at the Leys, isn't it? We've got our pile at last.'

'I doubt it is,' said he, as he leaned back

for a moment, and then sending his pick into the face at which we were working, dislodged a quantity of the precious wash-dirt. 'We'd never ha' picked up a "slug" like this at yon old Dibblestowe—not but what I've wished myself back there many times.'

'Yes, Joe,' said I, taking from him the rough red heavy clay-stained lump, which looked like an ordinary bit of conglomerate, but which *we* knew to be a nugget of almost pure gold, weighing more than fifty ounces, and worth two hundred pounds. 'This didn't grow in Farmer Mangold's turnip fields, did it? I've wished myself at the old village, too, I can tell you. However, this is going to pay us for all.'

'Happen it is!' he said; 'and not before it's time, too. I was getting full about digging, and but for you I'd ha' ta'en my passage home again, worked it before the mast, long and long ago.'

'You'll go home and be a gentleman now, Joe,' said I. 'Anyhow, you can buy a big farm or two. You might settle down near the Leys and marry Miss Mangold yet, if she'd have you.'

'No fear,' said Joe, using one of the Australian

idioms which he had grafted on to his homely Kentish speech. 'She'd a niver touched me with a pair of tongs, she was that proud and set up like then. But dost know what?' Here he made a pretence of whispering, though, being but the two of us in the 'drive,' a hundred feet from air, there was not much chance of being overheard. 'Jack Thursby told me he believed he seed her at Warraluen.'

'Jane Mangold at Warraluen? But how did he know anything about her?'

'Well, she got talking about Dibblestowe Leys, where she lived in England, as she should say. Then he up and told her he come from close about there, and as there was two chaps, Harry Pole and Joe Bulder, as was diggin' here,—he didn't know aught about you being a gentleman born,—and how as they come from the same place. Then she gave a sort of cry, and says, "Oh, surely it isn't Hereward Pole—don't you tell him I'm here in this hell, for it's nothing better." And then, he said, she cried badly, and went on terrible, till Black Ned, as she s married to, swore at her and threatened to knock her brains out if she didn't give over. I'd like to 'a bin there.'

'Good God,' said I, 'and is this the end of pretty, innocent Jane Mangold! How is it we never heard of it before?'

'Well, this chap, he kept it dark for a bit, but one day he and I was on a bit of a booze, and it all came out. It's a 'nation pity, ain't it now? Jack Thursby said he beats her awful, and some day he'll be the death of her—and it won't be the first he's made away with.'

'I wonder if we can do anything for her,' I said. 'Some day I must take a ride over to Warraluen and see her, though I hardly know how to help her. Still she shall have the offer of my assistance—poor—poor Jane.'

Then I fell to thinking how strangely intermingled our lives had been. More wonderful than any romance it seemed, if we two, who had wandered over the peaceful uplands and oakwoods of Dibblestowe Leys, hardly more than boy and girl, should now meet once more again in the far, strange, gold-town of Yatala.

CHAPTER IX

It is generally taken for granted in Britain that every person in a colony must of necessity know, or be known by, everybody else. Mr. Smith, of Sydney, on furlough, is importuned to carry a letter to Mr. Jones's cousin in Queensland, while his disclaimer as to personal knowledge of Miss Thompson's brother in Victoria is evidently looked upon with suspicion. It seems hopeless to attempt to convey to old-world people correct ideas of the enormous distances which separate the settlements of a newly-peopled continent; impossible almost to explain the nature of those social divisions which still further tend to prevent the universal brotherhood which is held to characterise the Arcadian existence of colonists.

They cannot imagine the necessity for such lines of demarcation 'in a colony,' clearly as

they are defined and rigidly enforced in every third-rate county town and old-fashioned village in Britain.

As a matter of fact, there are few places in the world, London excepted, where individuals may be more securely hidden from kith or kin, early friends, and later acquaintances than in Australia: and no place in Australia furnishes greater facilities for personal effacement than a large goldfield. A squarely-built man in ordinary miner's garb, known as Jack Scott only by his associates, passes by carrying a tin dish and a shovel. How are you to divine that this particular Jack is the son of a clergyman, and the grandson of a general in the Indian army, who will presently die and leave him a fortune, when the whole thing comes out? You are summoned as a juror to attend the coroner's inquest held on a poor fellow found in an eighty-feet shaft, where he has fallen overnight, having missed his way in the dark. He was 'Bill Jones' to all men, and lo! his brother arrives from town to attend the funeral, and it seems poor, easy-going, unambitious Bill, contented with the society of 'equals'—the shareholders in the claim—and

an occasional carouse, was the cadet of an ancient house, the members of which are broken-hearted at his early ignoble death. How many instances of this decadence had I noted! How often had I dreaded in moments of despondency a like fate; shuddering to contemplate in myself a possible waif, hopelessly stranded on the shore of despair and evil hap!

It had easily occurred, then, that Jane Mangold and I, though we had been living considerably less than a hundred miles apart, had never met, had never heard of each other, until this recent chance. Now that I was assured of her near presence, an intensely eager desire, a thrill repeated from the ardent boyish period, when

'She was a part of those fresh days to me,'

urged me with resistless power to gaze upon that face once more of my old friend and playmate.

I had often analysed my feelings towards the girl who had so nearly been linked for ever with my destiny. I had never been absolutely 'in love' with her, as the phrase goes; but the vivid unreasoning admiration

of early youth for the first fair form and face might easily have ripened into a passion. From this misfortune—the grave error of declining to a lower level of birth, breeding, intellect, and sentiment—I was saved by a loftier, a purer, a more absorbing devotion.

Yet he who has once been inspired by a woman, even with feelings short of the highest degree of admiring interest, rarely ceases to regard her with a peculiar tenderness. If there be generosity in his nature, he is ever ready to stand forth as her champion, ready with aid or counsel. And students of the human heart are wont to aver that the friendship which might have been love has ere now expressed itself in acts of sublime self-abnegation to which the world furnishes few parallels.

On the following Saturday, therefore, I borrowed a horse for the journey to Warraluen, 'putting a man on'—that is, hiring an experienced miner, for the sum of ten shillings per diem, to perform my duty in the claim until my return.

Before the stars had left the sky, I rode quietly and steadily forth, thereby giving my horse, fresh from a run on grass but a few

days since, a chance of settling to his work by degrees. As the sun rose higher I quickened my pace, and riding fast, but not unreasonably, the well-seasoned animal brought me within sight of the substantial little township of Warraluen before sundown.

As I rode up the narrow street, serpentine in construction, as in all gold-founded townships, I looked carefully for the hotel which I had been informed that Edward Morsley kept. The settlement differed in some respects from the one I had quitted; its prosperity depended almost wholly upon quartz reefs. In their nature, the reefs or ledges of quartz rock are more permanent as to the gold crop than the alluvial deposits, which can be rifled in a comparatively short time. Whereas the great depth of the matrix, as a rule, and consequently slow, steady extraction of the golden stone, necessitates a more protracted service, a more settled population. Hence the populations of 'reefing districts' are for the most part famed for comfortable cottages, well-grown orchards, and a general air of well-paid, contented labouring life.

The miners in this particular locality were chiefly Cornishmen, hereditarily accustomed to

subterranean labour in their own land. Laborious, enduring, and efficient in their own occupation, to which many of them had served a life-long apprenticeship thousands of feet below old 'ocean's swells and falls,' in Wheal Maria or The Great Dungavel, they were said to be by no means so suave of manner or agreeable in association as their cosmopolitan brethren of the alluvial goldfields. The aggressive, sullen nature of the untravelled Briton was still uncorrected by association with the outer world. They formed a community within themselves, and, as such, shut up to the development of their own peculiar tendencies, some of which were less pleasing than remarkable.

At this particular time the reefs at one end of the line of shafts, upon a mountain crest far above the town, had been lately yielding enormously, and were renowned throughout Australia. The 'Cousin Jacks' were, therefore, in great force. Much given to brawling amongst themselves, they were more than likely to be uncivil to strangers. The small force of police, hitherto thought sufficient for their subjugation, was all-inadequate when a dozen

reefs in line were sending up ten ounce stone —even better than that, it was whispered, and hundreds of wages men, employed by the great absentee companies, received their three pounds each as regularly as Saturday came.

In some respects, therefore, I had arrived at an inopportune season. Saturday night was pay night, and the vinous aspect of the groups I encountered—so different from the men at Yatala, except perhaps upon a high festival—convinced me that I had chosen a bad day for my entrance into Warraluen. However, I bestowed myself at the first available inn, and after needful refreshments and a couple of hours' rest, strolled out into the well-lighted streets.

'Well, lad,' said a short man, whose blue-black curly hair and deep-set eyes betrayed the 'Cousin Jack,' while his enormous spread of chest redeemed him from any imputation of insignificance, 'thou farest all as one as a stranger, loike? Where be'st bound?'

'To Morsley's Inn, if I can find it among these crooked streets of yours,' I said, slightly irritated at my want of success and inauspicious surroundings.

'Black Ned?' said the pocket Hercules, rolling himself around, and not resenting the imputation on his town, but steadying himself for a comprehensive look at me. 'Be'st a friend o' that'n? Not by the looks o' thee—danged sight more loike to be friends with yon pratty mawther as he's gotten boxed-up there wi' him—more's the pity.'

'Can you show me the house?' I asked, not much disposed for the sort of conversation that I foresaw could only be extracted from my acquaintance.

'Show thee t' house—why, I'm a-gannin' theer, straight as I can go. There's a dance there t' night, man—a ball! and we'll fare there together, Billy Pentreath and a friend, an owd friend—eh, lad? I'll show thee the missis. Mayhap she'll dance with thee—thou'rt a tidyish soart o' chap.'

After a short walk, and a considerable amount of tacking indulged in by my guide before he could 'fetch,' as he expressed it, the 'main drive,' we fronted a large, imposing, two-storied brick building. Beyond doubt it was a gala night, as the profuse lighting up, the group of men and women round the doors, the sound

of music which issued from the open windows, abundantly testified.

'Why, here's Billy Pen,' said a red-bearded giant, who looked like Odin or Thor about to enter a modern Valhalla. 'Here's Billy a-coming to see the ball, and another chap. Whose yer friend; a Geordie, most like?'

'No fear, Red Gaffer—dunna thee moind about Geordies. Seems as he's a Yatala man, and a golden hole man, as I'm warned,' said Billy, improvising slightly for the benefit of his audience, and unaware that he was so far clinging to truth. 'Wants to buy a few shares in Frohmann's, and Barrell's, and Caird's. But let's in, boys, and don't obstrooct th' entrance.'

A shout of laughter greeted this imposing utterance of Mr. Pentreath, performed with some difficulty. But seconding his expressed wish with an energetic shoulder movement, which even the giant did not care to withstand seriously, Mr. William Pentreath rolled through the open door into the hall of mirth, whither I followed with comparative ease.

'E. Morsley's Reefers' Arms,' as the large gilt letters on the front of the house proclaimed it to be, had always been celebrated as a 'dance-

house,' where from time to time gatherings were permitted by the police for the avowed enjoyment of music and dancing. This privilege had always been fenced round with restrictions and sparingly conceded by the police authorities. It was found, in the early history of the goldfields, that these assemblages of men of all classes and characters, excited by liquor, flush of money, and urged on by the presence of women, more fair than honest, led to many undesirable results. It was then enacted that each hotel-keeper who desired to have music and dancing in his licensed house should apply in writing for the permission. This application was referred to the police officers, who recommended or otherwise. If broils had taken place, robberies been hatched, or bad characters been encouraged to frequent the house on former occasions, the police stated objections, when the application was sternly vetoed by the Bench of Magistrates. In no case was such permission granted oftener than once a week. It was, therefore, no scene of wild, unhallowed revelry upon which Mr. Billy Pentreath and I were about to intrude, no reckless orgy, but a fairly regulated entertainment,

in which, if there was a certain license as to liquor and language, no great abuse of either would be possible. Still, I knew well that, had the woman I had come to seek retained her former feelings and principles, there would have been as much likelihood of her joining in a gipsy feast on the common near Dibblestowe as willingly lending the sanction of her presence to revelry like this.

The room was large and well lighted by lamps which hung from the ceiling; the floor good in a general way, although uneven towards one end, where the difference in the height of the wall showed that a smaller room had been annexed for greater public accommodation. A brass band of considerable power, and by no means inharmonious time, was at the moment performing a German waltz, to which about a hundred couples gyrated with orthodox slowness and precision. Of the women, some were handsome and showily dressed, others again were homely, middle-aged, and plain of attire, the wives of working miners who had a mind for once to enjoy themselves, and, at the same time, make sure that Sam or Joe would be back in time for his 'shift' at the claim.

These were, in the main, reputable and hard-working women. It was easy to see many who deserved neither of these epithets. But whether fair or honest, there was one striking fact apparent, that women of *any* kind were at a considerable premium at Warraluen. More than half the couples were men dancing with *men*. The saltatory instinct must be, even when diluted by descent, of great original strength, if one may judge from the fact that men, long absent from the pleasures of ordinary civilisation, when met for purposes of amusement, will dance for hours contentedly with one another rather than not dance at all.

At the end of the room was a highly ornamental bar for the sale of liquors, behind which was displayed in tempting profusion every kind of alcoholic stimulant. Officiating here, in company with an assistant whose time was completely taken up in serving the drinks which were ceaselessly called for, was a tall dark man, showily dressed according to the taste of the locality, and affecting a kind of spurious gentility which I thought sat ill on a lowering, savage cast of countenance.

'Yon's Black Ned, blank him,' said my

companion, 'as large as life, and twice as nasty if a' dared; let's over and have a drink, and he'll tell us a' the lees as is agoin' about Frohmann's, Caird's, and Bolterman's, and the lot on 'em. You're a-wantin' sheers for a Sydney company, eh, lad? That's your little game. I seed it soon as ye said fust word.' And here Billy winked at me with a portentous cunning, the effect of which was much enhanced by the difficulty with which he performed the feat.

Whether with characteristic shrewdness he had assumed that, whatever my real errand, there was no need to advertise it, or whether my appearance suggested an agency for the purchase of reef shares, then popular with speculators and rising fast in the market, I could not divine. But I instantly saw the advantage of following the hint accidentally given, and being made known to Mr. Ned Morsley under the style and title of a purchaser of shares in the great reefs which were then sending all the Australian world mad with hope, fear, and regret.

Such buyers were always, of necessity, provided with a sufficiency of ready cash; and the

bearer of promptly available moneys has always been a welcome guest at hostelries of every grade since the days of the Tabard.

When, therefore, Mr. Pentreath lumbered up with diagonal dexterity to the bar, narrowly avoiding the destruction of more than one couple of performers, and further informed Morsley that I was Mr. Poole, a friend of his, from Yatala, as was 'on the gutter' in the best blank claim in the blank field, and was bound to have the pick of all the sheers as was for sale in the leading reefs on the blank Hill, the sullen face of the host assumed an air of laboured welcome, and even an ominous, half-gracious, half-sinister smile illuminated his dark visage.

'You're only just in time. I had some of Frohmann's this morning, but they're gone. There's a half-share in Caird's, and two quarters in Bolterman's, that I can put you on to. The men were here this morning; one's off to Sydney, and the other's just spliced—that's why they want to sell; d—d fools both.'

'Eh, thou'lt find him some, I warrant thee, as long as there's a loomp o' quartz o' th' hill

the soize o' a brickbat. Whoy, thou'st grinnin' aal over t' face loike a Cheshire cat. But coom, what'll thee tak', Mr. Poole? let's booze up, summat near the mark. Ned, what's thine? whoy, here's t' missis and Grizzly Joe as is finished their dance aready. Stir thee stumps, Ned. It's Billy Pentreath's shout, all round. Blanked if thee don't own the handsomest wife from here to Los Angeles.'

Mr. Pentreath threw a five-pound note upon the bar and looked defiantly around, as a tall American miner, with close-shaved face and heavy moustache, lounged up to the bar with his partner, followed by the first detachment of the dancers, whose waltz had suddenly come to a full stop.

I looked at Mr. Grizzly Joe's partner, guarding myself carefully from any appearance of unusual interest. The first glance showed me that it was Jane Mangold, the woman whom I had last set eyes on as she bade me farewell at the Leys. I could recall her figure and dress even now, as I watched her run hurriedly into the old-fashioned porch at the entrance to the red-brown many-gabled farmhouse.

We had met again. And here!

I was changed, as the boy changes to the man, when the days of lightly carried duties and pleasures have passed away, and those of the stern taskmasters of later years have worked their will on mind and muscle. But I was still free—had I the world's goods—to resume my former place in the land we had both quitted, even, perhaps, with added fame and the prestige of the roamer and adventurer. While she——?

Our eyes met, and for one moment the flush upon her face faded so suddenly that I thought Mr. Pentreath's favourable romance had failed in its effect, and that I should stand confessed before the jealous eyes of Ned Morsley, as a former friend and admirer of his wife.

For the moment, however, he had been engaged professionally—and hastily seizing the wine-glass before her, she drank it hurriedly, and, turning to her partner, with a forced laugh made some commonplace remark about the heat of the room, and her fatigue as mistress of the house and principal partner at these troublesome balls.

The next minute Morsley returned from his spirituous search, and, with a peculiar look at his wife, introduced me as a friend of Billy

Pen's from Yatala, who had come over to buy a few shares.

'Very glad to see him or anybody from Yatala in this rough place,' she said, half looking down, but with assumed carelessness of manner. 'But I thought all the shares were sold that were worth buying.'

'Never you mind about that, Jenny,' Mr. Morsley said, with a kind of jocular gruffness. 'Billy and I could find him some shares if every claim on the hill had been sold twice over.'

'I've no doubt of *that*,' she returned sarcastically. 'The question is, whether Mr. Poole—I think you said—would care to buy.'

Here the band struck up a popular war dance of the period, and the room being immediately made noisily cheerful with stamping and trampling to the somewhat exigent time, I formally solicited the pleasure of Mrs. Morsley's hand for the dance, thereby anticipating the intentions of half-a-dozen burly aspirants, one of whom, evidently considering that a dance was a dance, promptly thus addressed Mr. Pentreath—

''Ave a shottise, Bill?'

It was not for the first time that my arm had encircled my partner's shapely waist. In old times there had been rustic junketings, picnics, and other informal merrymakings, at which a little dancing was allowable, if not ostensibly in the programme. As soon as we swung clear of the encircling crowd at the farther end of the room, where there was an outlet to a small garden with seats and other appliances for availing of the refreshments ordered at the bar, we stopped by mutual consent and looked in each other's eyes. For one brief moment they met, and then hers, which wore a troubled and half-appealing wistful expression, sank suddenly before mine, as she hurriedly broke the silence.

'This is like—and yet how dreadfully unlike—old times, isn't it? Who would ever have thought that Jane Mangold and Hereward Pole would have met in Australia—in such a place as this, too? Oh, my God! who *would* have dreamed it? Don't say a kind word to me—don't—or I shall burst out crying—and then Ned will——'

'Are you afraid of him?' I said. 'Will he be angry if he finds you and I are old friends?'

'Of course he will. I am not afraid of him, or of any one else,' she said, turning on me with a sudden light in her eye and a defiant look which marked the change from the innocent country girl of old days. 'But I know he'll kill me one of these days. And now let us finish our dance, or these people will wonder. My miserable story will do some time when we can have a quiet talk together. I try to forget. Oh, if I only *could*!'

We whirled off to the familiar measure, to which with an odd inexplicable impulse we addressed ourselves gaily. It afforded strange feelings of relief. We did not again stop till the dance was over.

So complete was the recognition of the once familiar face, that I had hardly asked myself whether or no the alteration in her appearance had been favourable or otherwise. Scanning her features more closely, I was astonished to confess that, as far as outward seeming went, Jane was now incomparably more attractive than she had ever been. Her complexion, still, as ever, wonderfully delicate, pure-tinted, and but faintly coloured with a warmer glow, was of the class so rarely seen save amid the

green meads and sheltered vales of the British Isles. Her figure had but altered from that of girlhood to the more perfect symmetry of the more fully developed woman. The blue eyes, though their expression, ah me! had changed, were softly radiant, as of yore. Added to all, there was an air of self-possession—of higher resolution and quickened intelligence, that had been absent in the dear innocent old days of Dibblestowe Leys. She was then a bright-faced, merry, wayward country maiden—much resembling her whom Chaucer limned—

> 'Wincing she went as doth a wanton colt,
> Sweet as a flower, and upright as a bolt.'

Now, it may be that she had sinned and suffered, borne hard usage, and flung back bitter words; but the sorrow and the shame, the suffering and remorse, had been all powerless to deprive her of that gift, so fatal, alas! to many a possessor among Eve's daughters.

She was still graceful and striking-looking, nay more—a dangerously beautiful woman.

I remained at Warraluen some days. I continued my fortuitously-formed friendship with Mr. Billy Pentreath, who devoted himself to my service and entertainment, being, appar-

ently, curiously anxious to justify his hastily-conceived description of my character and errand, by letting me into some of the confidential mining operations which had then financially so much interest for all classes of society in New South Wales.

I kept up the idea, which now thoroughly pervaded the larger portion of the community, by purchasing guardedly a few 'interests' from time to time out of the largish number submitted for my approval, and by assuming a gay and careless manner, much at variance with my habit and present inclination.

Thus Billy Pentreath, and his friend Harry Pole from Yatala, became fully accepted as the last novelty in speculative mineral society.

Even the suspicious Morsley relaxed his grim menacing demeanour, regarding me, doubtless, as one of the harmless pigeons of the golden period, whose pecuniary pinions were fated to be even more completely and effectually plucked than usual.

Meanwhile opportunities were freely afforded me of hearing poor Jane's sad story. After my departure from the Leys she had become (she told me) restless and dissatisfied with her home

and her ordinary duties. Her father was, as she thought then ('not now—not now,' she said, with how sad a look and sigh!), hard and unkind. After several quarrels, resulting in settled home discomfort, she in a fit of pique and rebellion accepted Dick Cheriton's addresses. Marrying him without her father's consent, they emigrated to Australia, full of the golden expectations which, about that time—the great days of the Turon, of Ballarat, and Bendigo—lured so many hapless rustics from their homes, little dreaming of the ferocity of the dragons that guarded the Hesperides of the South. They arrived at Ballarat in the early days of that astonishing treasure-city, now with a population of many thousand souls, with banks and churches, railways and public schools, with parks on gala days crowded with school children, and regattas with fleets of boats upon Lake Wendouree; then a vast camp of cabins clustered beside the sodden banks of a muddy creek, or on the slopes of a gloomy forest, where in endless ranks stood charred iron-seeming stems of the great eucalypti. Some of the usual consequences followed.

Richard Cheriton, weak and dissipated, had, after a temporary run of luck, swiftly succumbed to the temptations of the scene and the period. Hard drinking and reckless gambling had made short work of him and his capital, and within three years of their landing, the ruddy-faced farmer, whose mild misdeeds in his native county would almost have counted as virtues amid the fierce whirlpool of vice in which he had lately revolved, was laid in the crowded cemetery, a shattered wreck, an imbecile, and a pauper.

Lonely and wretched, though flattered for her beauty and distracted amid the thousand excitements of the great goldfield, Jane had, half in despair, half in instinctive feeling of self-preservation, accepted the first apparently favourable offer of marriage made to her. Ned Morsley, apparently wealthy and successful, courted for his money, and veiling his villainy under a mask of careless dissipation, easily imposed himself upon her.

His wealth and his protection were alike shams. A wandering adventurer, he had dragged her from one goldfield to another, from colony to colony, or had deserted her,

leaving her well-nigh to starve, unaided and unguarded. Used as a lure and a decoy, yet subject to paroxysms of causeless jealousy on the part of her husband, she had often experienced the vilest abuse, the grossest ill-treatment at his hands. Loathing herself and her surroundings, an inherent vigour of organisation, joined with the sustaining power of a false excitement, had hitherto served to keep her alive.

But how weary of her life she was, she again and again told me, with bitter tears. She would long since have ended it, but that her father was alive, and she clung to some half-instinctive hope that she might yet see him, and end her feverish wasted life near the cool brook and under the aged trees of the quiet village, where for generations her race had lived and died peacefully, innocently, happily.

'Oh! if I could only see the Leys again,' she sobbed, leaning her head against my shoulder in the abandonment of despairing and passionate grief, 'how happily I should die! I do not wish to live. I have long ago come to hate my life. Alas! false and wretched dream that it has been. But if I

could only get away from these hateful heaps of earth, this miserable monotonous existence, this sickening endless turmoil about gold—the accursed gold—ruining alike in body and soul those who have it and those who have it not—I could sleep away my life peacefully and thankfully. Oh, Hereward, my friend, my brother, of the old glad, innocent days, you cannot think what a joy your coming has been to me. Do you think God will ever let me go back?'

I soothed the weeping woman, and offered such poor consolation as I could think suitable to her hopeless state. But that nothing could be done I was only too well aware. How can any woman of any degree be helped against her husband? She had chosen her fate and must abide by it, enduring torture only short of legally punishable violence, hardly restrained, indeed, within such bounds.

I was to leave Warraluen next day. I could not longer prolong my stay without causing inconvenience to my partners at Yatala, and probably exciting unfavourable remarks at Warraluen. I promised to aid and help my unhappy friend in all loyalty,

and caused her to promise that if matters became dangerous or intolerable she would trust herself to my care at Yatala, where I would do for her what a brother might.

In keeping up my character with Billy Pentreath, as an earnest mining speculator, I had purchased more shares in Frohmann's, Caird's, the Frenchman's, and Bolterman's than I had at first intended, but the money stood at my credit in the Bank of New Holland, at Yatala, and with the true mining disdain of the odds, I considered that a favourable rise was quite as likely to take place in their market value as the reverse.

When I returned to Yatala, after my week's unwonted recreation, I was accompanied as far as the first inn, about ten miles on my way, by Mr. Pentreath and a few friends, who were determined that I should not quit 'the Hill,' as Warraluen was familiarly called, without some sort of public recognition. We rode along, therefore, with a free rein as far as Spraggs's, as the hostelry of that gentleman was chiefly designated, irrespectively of a patently aggressive signboard, legended The Jolly Miner, and representing a suspiciously well-dressed indi-

vidual in recent possession of a fabulously large and brilliant nugget. Thither arrived, champagne was demanded, and my health was proposed by Mr. Pentreath as a legitimate miner and a true friend, as was a honour to his country and to Yatala, which tho' it was only alluvial—in a manner of speaking—had some tidy claims on it, and 'whoever met his friend Harry Pole from theer, would find him a man, whether the sinkin' was deep or shallow—and here was his jolly good health, with all the honours, three times three—hurrah.'

But for leaving poor Jane to bear unaided her miserable fate, I should have quitted Warraluen with a much lighter heart than I had entered it with. I made shift, however, to feign the requisite amount of hilarity, and parting cordially with my kind-hearted Cousin Jacks, I breasted the line of steep green hills around which the road wound, and 'they went on their way, and I saw them no more.'

. . . . . .

Once more at Yatala, and again seated at our humble board, I had hardly completed my mutton chop and commenced to extract the impartial local news from yesterday's *Beacon*

when suddenly a low, rumbling sound attracted my attention. Something which I could not analyse aroused a kind of sickening anxiety, and I looked out. God in heaven! what was that? I could see plainly the shaft and the staging of Gus Maynard's claim. As I looked I saw the woodwork on the top of the shaft driven up as by an unchained hell-blast, the bark roof of the sun-covering is burst upwards as by an explosion, and comes down in fragments all over the spot. Is it fancy, or do I see the heavy pile of crossed logs, ten or twelve feet from the surface of the earth, stagger—and fall ruinous to the earth? Does the adjacent ground disappear and finally remain stationary, as a hideous, dry, formless pond?

It is even so, and my senses have not deceived me. There is a general rush from all sides to the place. Men commence to work frantically for a time, and then stop, and say sadly that there can be *no help*. Finally we discover the nature of the terrific accident which Providence has seen fit to suffer.

The Nova Scotia claim has fallen in. All the present workings are for ever closed, and Gus Maynard and seven stalwart miners, who

this morning were full of lusty life, are lying crushed lifeless clay in the sealed-up galleries, and a hundred feet from the day. The heavy props which supported the drives had given way simultaneously, and an enormous mass of superincumbent earth fallen in upon the doomed miners. The suddenly expelled air, driven out through the shaft as by a tube, had produced the volcanic effect we had witnessed. There is no going down the shaft, no volunteering to risk life for the chance of saving dying or crippled men, as when the fatal fire-damp slays or only stupefies the miner in the ancient workings of British coal-mines. All such effort was useless. All trace of shaft or drive was here completely lost. Fresh shafts, of course, will be sunk, fresh galleries excavated, the old workings will be freshly scooped out of the jealous bosom of the dread mother—for the gold is still there, in fine dust and shot-like grains, and rugged, rough, red ingots. Such prizes will always tempt the heedless heart of man. Against these will he cheerfully barter afresh his life and limb, health and strength.

But Gus Maynard and his mates will never more be seen on earth, never more appear in

the forms known and loved so well—for wives and orphans are weeping hopelessly now—till the sea gives up her dead, and the caves and dark places of the earth render up those that lie 'prisoned with them, awaiting the last dread trump.

When I dragged my feet back to our tent that night—for how unwillingly move the members when the heart is heavy!—I felt as if a cloud of evil omen had gathered around our fortunes and prosperity. All were silent, all desponding. Gus was a universal favourite, and there were few at Yatala that night who did not sorrow as for a friend or a brother.

CHAPTER X

I HAD not, however, much leisure for the indulgence of grief in the matter of poor Gus Maynard, sudden and terrible as had been his fate. For we had no sooner quitted the sorrowful procession which had at length returned from the buried mine-works than Cyrus Yorke, who had been away all day, dashed in with the astounding intelligence, 'Our claim has been jumped.' The words were simple, but no addition could have exaggerated their significance.

From the first we had been almost instinctively aware of the framer of the plot which had done us so great an injury, which might even yet compass our ruin. Malgrade was the man whom each tongue amongst us simultaneously named and, with the sole exception of Mrs. Yorke, deeply and vengefully cursed. I am

not sure now whether that prudent matron did not utter a wish connected with his prospective condition of existence which sounded less like a prayer than a prophecy. He had bided his time, and had dealt us a shrewd blow. In the long history of human strife, how unwise has it ever been to underrate a foe. Wiser than his fellows was he who said of old, 'Consider your enemies if you would be safe and strong—heed not your friends.' And, doubtless, what a coign of vantage has the stealthy, patient-watching brigand over the unsuspecting toilers—the heedless wayfarers of life! Daily, nightly, his thoughts are marshalled solely with a view to the season of opportunity, which sooner or later an ironic fate appears to grant. Thus had it been with us. The blow had found us unprepared. And though we had the ordinary means of defence, we were by no means sure that a joint in our armour would not be discovered, in which case no mercy need be hoped for.

But it was apparent Malgrade was not our sole antagonist. In all privateering on goldfields and other tempting vicinities, the initiated are aware that the alliance of capital with labour

is indispensable. In the 'ebony' trade and other adventurous semi-mercantile enterprises, as well as Captain Kidd and his merry men, there must be the moneyed speculator, grave possibly, decorous of mien, but nevertheless not unwilling to furnish the outfit of the long low waterwitch of a schooner for a consideration. He 'planks down' the dollars requisite for the purchase of prints and necklaces, fetters and gunpowder, rum, small arms, and other necessaries. The crew must be paid and money found for the personal expenses of Captain Kidd as well, unprejudiced commander and thorough seaman that he is. In requital of which by no means paltry outlay a swingeing share of profits, when the middle passage is safely passed and the death-scared sable crowd 'sold and delivered,' is cheerfully yielded to the foreseeing man of money.

Such philanthropical individuals, loth to behold energetic men languishing for lack of means, have from the earliest records existed in every land. No more complete microcosm than a goldfield is to be found among human communities. It follows in natural sequence, therefore, that the sleek, remorseless trader in

'fellow-creatures' lives' was not far to seek at Yatala. Our ban-dog, Malgrade, had given him the office; the calculation was simple and reassuring, and the matter being settled with the celerity characteristic of the locale, the funds were instantly forthcoming.

Mr. Isaac Poynter was a stout, florid, voluble personage, whose sleek black hair always shone in such oppressively lustrous fashion as to suggest that in his former trade as a butcher he had contracted the habit of anointing it with suet, and was unable to relinquish the practice now that less inexpensive pomade was accessible. He had followed many trades on various gold-fields, including that of unlicensed liquor seller, and having accumulated a considerable capital by the consistent exercise of the strictest dishonesty, had settled down into the ostensible occupation of sharebroker and mining agent, with which elastic vocation he combined those of money-lender, gold-buyer, and receiver of property more or less disputed as to title.

This astute personage, as well as Mr. Algernon aforesaid, honoured our party by a grudge for several reasons hardly necessary to specify. The Major and I, he had been heard to say,

were infernal stuck-up swells, who thought themselves too good for the society of parties in trade, while them fellers, Yorke and Bulder, had refused to stand in with him in a little safe speculation, and had had the cheek to offer to kick him off their claim. He'd had it in for 'em, and had settled in his own mind for to give 'em a rough turn some day, and now they'd see who they'd got to deal with.

Long practice of every conceivable evasion of the mining laws had made him familiar with modes by which, without infringing rules, the honest occupant of a claim could be harassed, ousted, besieged, and black-mailed. Any swindling device which Poynter was not acquainted with—and such an acquirement was, in the opinion of the looser members of the field, 'not worth knowing'—was promptly supplied by Malgrade. It will be easily seen how difficult it was for our straight-going, unsuspicious band to foil the machinations of foes so deliberate and experienced.

The necessary arrangements having been made and the plan of the campaign mapped out with Prussian completeness of detail, nothing remained but to find the requisite number of

'honest hard-working miners' who were to be the ostensible actors and moral scapegoats in the affair.

Such men, of course, were to be had. The price was tempting, being no less than a half-share each in the claim, if the fortress fell and the *condottieri* were successful. This was formally made over by legal transfer in the mining registrar's office, the rank and file being far too experienced to trust their superior's promise in such an affair. Besides this, it was agreed that they should receive wages at the rate of half the ordinary tariff, amounting to thirty shillings per week, during all the time occupied in professing to work on the ground, attending court, or in any way furthering the plot.

This was but the ordinary custom, and without such a payment the humblest miner on the goldfield would not have given his services. The men, in addition to being average practical workers, required also to be fully experienced in all mining usages and regulations, lest they might be betrayed into any illegal act which might jeopardise their title to the property.

Each detail having been long thought out, was now executed with a precision 'worthy of a better cause,' as the apologetic formula runs, doubtless originated by some moralist, wondering in his secret soul why the fiend's emissaries were always so faultless in drill, so true to their colours, so zealous and so sleepless.

And yet, the outcome of this recondite calculation was the apparently simple and harmless proceeding of four men putting in corner pegs, and going through the form of picking a shovelful of earth from the sand surface of No. 4 Liberator Lead.

Yes, long before that pawn had been advanced upon the chessboard, whereon was to be played such an exceedingly stiff game with live pieces, many a gambit, many a check and counter-check, had been conned over. Money had been lodged in the bank, arrangements had been made for subdividing shares, for forming a committee, for engaging professional aid, for floating a company, if the need arose.

Mr. Cramp and Dr. Bellair had both received a retaining fee in case of accidents, and with veiled but malignant expectation the chief conspirators awaited the next move.

The requisite period, sacred to the law's delays, was fulfilled. All needful preliminaries were executed. The day of trial arrived. In all mining causes the method of procedure was this: every case must be tried before the Commissioner, who sat as primary judge. He heard the evidence in full and gave his decision; but in view of the natural impatience of the mere *ipse dixit* of one man, even a man so widely respected and even feared as the Commissioner of all the southern goldfields, the Parliament of New South Wales in its wisdom had devised a mode of further trial. An appeal lay to a court composed of two or more magistrates of the territory, who were empowered to rehear the whole case, and afterwards to confirm or reverse the previous decision. If still further objection were taken to the verdict, and in any important mining case involving large amounts such proceedings were the rule rather than the exception, a last appeal would be heard before the Supreme Court, by whom the matter was adjudicated upon and finally settled.

Thus it came to pass that we looked despondingly along a vista of legal proceedings on protracted, if probably successful, action,

but which was surely fraught with profuse expenditure along the whole line. However, there was nothing for it but to attack the beleaguering force and compel them to raise the siege, or for us to yield up the citadel. The last act we held to be impossible. We had, without an hour's delay, retained Mr. Markham, soon finding cause to congratulate ourselves upon our promptitude.

Punctual as usual on the appointed day, that gentleman arrived early, smiling and confident of mien. The streets appeared to us to carry an unwonted crowd. Many a miner left his work that day. Captain Blake rode up, followed by his dogs, as was his wont, at ten o'clock sharp.

Throwing the rein to his orderly, he entered the court-house, and took his seat upon the bench with a stern and resolved air. He foresaw six hours of steady attention to a series of interminable technical details with which he was already painfully familiar, and all such methods of spending the bright summer days William Blake cordially hated, though, under compulsion, few men more successfully administered the apparently complicated but really equitable and comprehensive mining statutes.

Then, advancing with stately steps, the sergeant caused to be opened the principal door of the court-house. In a few moments it was crowded to the rails which protected the professional gentlemen, the parties to the suit, and the witnesses. Dr. Bellair and Mr. Cramp appeared for the other side. Both editors were in their places when the case—Pole and party *versus* Ingerstrom and party—was formally called on by the clerk of the Bench.

Mr. Markham stood up at once, and made the opening address.

'He was not there to defend illegal action; he trusted that he knew too well the principles of law, the requirements of justice, to attempt to pursue a short-sighted policy, whether on the part of his clients or any others. But he would say that a more scandalous outrage upon mining law, goldfields custom, and even the ordinary rules of equity which guided the transactions of society—as between man and man—had, hitherto, not been numbered among his experiences. However, knowing that there was a long day before the Court, he would not detain it further, but proceed to call his witnesses. Harry Pole, go into the box!'

I stepped upon the modern rack, where, in this over-civilised age, heartstrings strain and quiver in agony, as that dread agent of the law, 'yclept the barrister, plies probe and scalpel. My operation was simple and painless.

'Your name is Hereward Pole. You produce your Miner's Right, of date January 185—, the present year.'

This was done. The important piece of parchment, about the size of a bank cheque, was handed first to the Court, and then to Messrs. Markham and Bellair, by whom it was as closely scrutinised as if, indeed, it had been an informal bank note.

Further judicious examination elicited from me the important facts that 'I had, on the 10th of August last, about a quarter past six in the morning, in company with Joseph Bulder, Cyrus Yorke, and Edgar Treseder Borlase, generally known as "The Major," put in a peg, not less than three feet long and three inches in diameter, and had affixed the same in an L trench not less than six feet long and six inches deep on the north-east boundary of the claim of four men's ground, known as No. 4 Liberator Lead. The other three shareholders mentioned

put in similar pegs and cut similar trenches at the same time in my presence. The land was then vacant Crown land, there being no one in possession or occupation thereof, or any pegs, shafts, or workings whatever visible. Furthermore, I had within three days thereafter, in company with the other shareholders, commenced to work the claim, now known as No. 4 Liberator, and had assisted to work it without intermission until the trespass by defendants. I had seen the defendant Ingerstrom break the surface of said claim with a pick. This was the trespass complained of.'

This cross-examined by Dr. Bellair: 'The measurement of the claim No. 4 was so many square feet. It was more than forty feet per man along the base line of the lead. It was not an exact parallelogram, but was of an irregular shape. There was not more than the number of superficial feet allowed by the regulations to a claim of four men's ground. The Commissioner had formally allotted us this claim soon after the Prospecting Claim struck gold. The quantity of ground so granted to us was not illegal by the regulations, so far as this deponent knew. Would not swear one

way or another as to its being illegal to grant a claim in a form different from that laid down in the regulations.'

Here Mr. Markham objected. His learned friend was compelling the witness to answer a question which referred to a matter of law, not of fact. The witness's opinion as to a point of law was not relevant to the issue. The witness might hold an erroneous opinion as to mining law, or a correct one. In either case his opinion would, he submitted, be valueless as evidence. The Court was not concerned with what he *thought* with regard to mining law, or any other abstract subject, merely with what he *did*.

The Commissioner ruled that the question could not be put. As Mr. Markham had stated, 'the Court did not care a straw whether or not witness had the whole Act and Regulations at his fingers' ends, only what he did on that tenth day of August last.'

Dr. Bellair differed *in toto* from his friend Mr. Markham, and was not disposed to accept the dictum of the Court unconditionally. 'As a Doctor of Medicine, a Doctor of Laws, and a Barrister of the Supreme Court of New

South Wales, he held himself entitled to contravene the ruling of any Chairman of a Quarter-Sessions, much less a magistrate presiding over an inferior tribunal as was that of a Commissioner's Court. But he would proceed.'

The Commissioner was gratified to hear that. He was as little disposed to question Dr. Bellair's legal attainments as to make trial of his medical skill, but he wished him to understand most fully that he, William Devereux Blake, was judge in his own little court, and should demonstrate by prompt and decisive action (to which he trusted, however, that he should have no occasion to resort) that he would permit no disrespect or contempt of court as long as he sat there. He would remind gentlemen that much evidence remained to be taken.

Cross-examination proceeded with: 'Was certain that his party commenced work on the third day after pegging out No. 4. Had another claim on the Last Stake before that. Was working there till the 6th. Then abandoned it as they all considered the Liberator Lead the better show. Had more than one washing up at No. 4. Dividends were declared. Declined to state how much gold

per man was divided. Were satisfied, at any rate, and did not want it stolen from them by defendants, or any other ruffians.'

Witness was here admonished by the Commissioner and told that he was only at liberty to answer questions, and not to refer to the morality of the defendants' presumed course of action.

Joseph Bulder is likewise sworn. He produces his Miner's Right of date 1st January 185—, and gives corroborative testimony as to the occupation of No. 4 claim.

Edgar Treseder Borlase, sworn, states: 'Is a miner, residing at Yatala. Produces Miner's Right of date 1st January 185—. Assisted in the presence of the two previous witnesses and Cyrus Yorke in taking up the claim known as No. 4. Has worked regularly upon it ever since. Will swear that he has never been away more than a day at a time since they commenced work. If so, has been employed in doing work for the benefit of the claim. Is a practical miner; has worked at several other goldfields before coming here. Doesn't know exactly the number of superficial feet in the claim; believes it to be about the right quantity for four men's

ground. The right quantity would be so-and-so. If he had time, could calculate it easily enough. Am not sure that he could do it accurately here. The Commissioner gave them their claim in that shape, partly because he chose to do so, and partly because in no other way, since the base line was swung, could they get their fair proportion of ground. Did not think that defendants acted otherwise than as——'

'Thanks, Major'—this from Mr. Markham. 'I will not trouble you any further.'

Cross-examined by Dr. Bellair: 'Was formerly in the army, in the 77th Regiment. Have seen some service. Was not in any way compelled to quit the army. Would have knocked down any man who asked him this offensive question outside this Court, but was aware that it was his duty to treat all persons in that Court with becoming respect. Trusted that the learned counsel would assist him by his line of cross-examination in so doing. Did not wish to answer questions upon other than mining transactions. Was a miner here in every sense of the word, and expected miners' treatment—that of honourable consideration and manly fair play.'

(Slight signs of gallery approval promptly suppressed.)

Amos Burton called: 'Is the holder of a Miner's Right, but at present does wood carting. Was in the vicinity of No. 4 Liberator Lead very early on 10th August, in the morning, and there saw the last witness and three other men marking out a claim. It might be No. 3 or No. 4. They took their time over it, and hammered in their pegs, and dug trenches all ship-shape and reg'lar. Saw no one there before they came. Believed the land to be vacant. Do not know the shape of the claim. Only, if any one took it up according to the regulations, these men did and no mistake.' (Is directed by the Court not to volunteer his opinion upon legal points.) 'Anyhow, they were in occupation.'

Cross-examined by Dr. Bellair: 'Is not a friend of the last witness, or the party, that is, not partic'lar. Knows Harry Pole, remember him at Cold Point. The Major was there, too. Always believed in 'em as legitimate diggers. Diggers will take advantage sometimes if they can work it with the regulations and the ground's good. Wouldn't do so himself—that

is, not unless it was a "clean jump," and the wash was A1.'

Ah Sing, storekeeper and general dealer, is next called, and sworn by blowing out a match, repeating after the clerk of the court a formula declaratory of the fact that if he do not now speak the truth his soul will perish as that match is blown out: 'Was on such a day on the line near Liberator Lead. Wantee catchee that one piecee horsee dlive em cart Milliwa velly early morning — sun come up allee samee wantee breakfast. See Hally Pole, Joe, Major, and 'nother man — big man — peg out claim, altogether. See um put in pegs, dig tlench, quite esure, no foolee me, allee samee digger. Know digger way, catchee claim once Myer Flat.'

Cross-examined: 'Digger buy things my shop, little boy, old woman, young woman, allee samee Ah Sing. Suppose catchee money, suppose swear lie, go to hellee quick, same as Doctor and evlybody.' Is requested by the Court not to include professional gentlemen in his theories of future punishment, to which he replies, 'All lightee, Doctor stop at home, no tell lie. Ah Sing no tell lie, Com-

mish'ner. Commish'ner shutee up bad China-man, Logs, my word.' Being asked if he knows anything about the present mining regulations, replies, 'Me plenty savee, Hally Pole takee up No. 4, and that Dutchy man, plenty jumpee. No more savee.'

Mr. Markham submitted that their heathen friend had shown his ability to take a comprehensive grasp of the nature of the suit. (Laughter.)

Dr. Bellair would not further examine this witness, whose evidence he regarded as either venal or wholly untrustworthy for want of intelligence and sense of moral responsibility.

Cyrus Yorke is called. He walks up through the closely-packed crowd, who, partly knowing him as a shareholder in the claim, and one of the parties to this *cause célèbre*, make way for him as he slowly marches up, squaring his vast shoulders, and taller by the head than the audience, composed though it be of men of more than average stature. But Cyrus stands as near seven feet as six in the Wellington boots which he always adopts for great occasions: weighing besides over seventeen stone, below which the hardest of regular

work does not reduce him. He is not a man to be jostled in any congregation, however dense. As he walks forward to-day, neatly dressed in suitable garments, he is the very pink of cleanliness, and does full justice to Mrs. Yorke's talents as a laundress. His linen is spotless as that of a crack *espada* among the bull-fighters of Valencia. A grand specimen of Anglo-Saxon manhood is Cyrus, as developed by the kindly conditions of Australian life. I cannot help contrasting him with the ordinary specimens of the English farm-labourers, from which he is sprung. Generations of unremitting toil, privation, and anxiety for the morrow, had in most of these instances stamped a look of almost painful endurance indelibly upon form and features, writing them down as hewers of wood and drawers of water, *adscripti glebæ* born thralls of a higher race and a more favoured class. But this man's external presentment bore the record of years spent in easily-borne tasks and well-requited effort, of long intervals of repose and recreation, of seasons of pleasant social intercourse and free independent action.

CHAPTER XI

The evidence, however, of Mr. Cyrus Yorke proved to be less striking than his appearance, save that portion of it of which the effect was on the wrong side.

He had pegged out on the 10th August with me, the Major, and Joe Bulder. He had assisted to commence work three days afterwards, and worked and occupied the claim without intermission until those four scoundrels, with other scoundrels backing them, whose names he did not know, but might find out some day, 'jumped' it.

Is told by the Commissioner that he must not refer to the moral tone of any of the parties to the suit. Replies that, as an honest man, he can't help it. Is assured by the Commissioner that his honesty will land him presently in the lock-up for twenty-four hours

for disrespect of court, upon a repetition of the offence. Cyrus grumblingly subsides.

Is certain that there was no person in occupation when he and his mates took it up legally, and in proper digger fashion. If they have no right to it, no claim on this field is properly taken up.

Mr. Markham asks the well-meaning blundering giant no more questions.

The Doctor, with a look of evil triumph, rises quickly, looks at Cyrus with a vivisecting eye. In a voice of terrific acerbity, he thus began—

'Produce your Miner's Right, Mr. Cyrus Yorke, if you have such a document.'

There was a moment's ominous pause, during which the whole Court, to the smallest gamin, was pervaded by an intense, almost painful interest. The spectators stirred and leaned over towards the witness, silently gazing upon him as he was about to speak the words which, if in the negative, would seal the doom of the claim. Here was a man who, out of his own mouth, was perhaps about to convict himself of a breach of the law, which would have the tremendous consequences of depriving

his party of the prize actually within their grasp—the well-earned reward of years of toil, hardship, suffering. Only for the sake of ten shillings, too. That was the price of a Miner's Right for the first half of the year. After June it was reduced to a crown. A claim worth fifty, sixty, perhaps a hundred thousand pounds was going to be lost or held before their eyes, for half a sovereign, and a shilling's worth of trouble! It was, indeed, as more than one bronzed, weather-beaten spectator remarked under his breath, 'as good as a play.'

And was there no natural pity, no trace of sympathy among the hearts of those who saw the blow, so crushing, so disastrous, about to fall upon comrades by whose side many had worked, with whom they had interchanged the simple offices of goldfields' friendship, who had tended one another sick and wounded, who had knelt by the grave of each other's dead, who knew that the man about to speak had a true wife and prattling children to be helped or beggared by the upshot? Truth to tell, the excitement of the spectacle much outweighed the interest, and almost obliterated the sympathy.

For the rest—the miner belongs to a class with whom the gambling element has ever been strong, even to apparent madness. In his ordinary avocation he places upon the cast his health, his fortune, his life, and, possibly, the food and shelter of his wife and children, whom let no man say that he loves less passionately and enduringly than his more stationary fellow-labourer.

But he is accustomed, from the commencement of his perilous trade, to see fortunes approach with dazzling nearness, then—

> 'like the Borealis race,
> Flit ere you can point their place.'

He has seen the treasure which was to crown and justify life's toil, an existence of desperate adventure and untold hardship, so often missed by a hair's-breadth, that he has lost the faculty of wonder and pity at such mere daily occurrences. He is not hard-hearted, few men less so, only he is prone to regard all human effort and temporal reward as the direct concomitants of the world's grand demon 'Luck.'—All other explanation seems to him futile.

So it might be our luck to lose this claim,

the richest on the lead, the best on the field, a fortune to each shareholder. As surely it might be another 'crowd's' luck to get it—they, and their backers, the secret partners and abettors in this conspiracy, who 'stood in' with the actual operators, and found the cash for these very expensive law proceedings, which, of course, the actual jumpers, men of straw, could not furnish.

'Will you produce your Miner's Right, witness, I ask you again?' thundered the irascible Doctor.

There was not the slightest variation from his usual sleepy monotone, not a change in his leonine countenance as Cyrus placidly answered—

'I haven't got one—leastways, I haven't got it here.'

A suppressed sound, half sigh half groan, proceeded in a muffled involuntary way from the great assemblage at the fatal announcement.

'What do you mean, then,' demanded the triumphant advocate, 'by occupying Crown lands, and illegally mining for gold thereon with your companions, without a shadow of title? Answer me, do you hear?'

'I apprehend, Dr. Bellair,' said the Commissioner, 'that such a question is not relevant material to the issue. The Court is only concerned with facts. The witness's opinion as to the legality of his previous acts does not touch the point at issue.'

'I ask, Mr. Commissioner, do you disallow the question I have just asked?'

'Most certainly, for the reason I have just given,' said the Commissioner, with cheerful promptitude.

The Doctor gnashed his teeth, figuratively, and thus proceeded—

'Do you know, then, where your Miner's Right is?'

'I do not.'

'Will you swear, then, where you saw it last, or will you swear that you have one at all?'

The witness declared that 'he would do nothing, either one way or the other. That he might, or he might not, have a Miner's Right. Anyhow, he had not got it then, in Court, that day—they must make the best of it.'

And here Cyrus looked defiantly round upon the crowd, with the air of the lion caught in the toils.

'I don't know that I need go any further with this case, your worship,' said the Doctor, with an air of the calmest assumption. 'The whole case is perfectly plain. The occupation is bad—has been illegal from the first, and ——'

'I must protest against my learned friend making his speech upon the merits of the case at this stage of the proceedings,' said Mr. Markham. 'He never was more mistaken in his life, if he thinks he is approaching a verdict for his clients.'

The real fact was, that Mr. Markham had, after hearing the damaging admission of Cyrus Yorke, given up all for lost, as far as it was in the indomitable nature of the man to do so. But he thought it due to himself and his clients to repudiate all likelihood of so dire a catastrophe, and to suspend his judgment till the evidence had been exhausted on both sides.

The Commissioner was of the same opinion. But years of experience, marking thousands of involved cases, had taught him the necessity of wearing the legend *audi alteram partem* close to his heart, metaphorically. He therefore said, 'If you have any witnesses, Doctor, I shall prefer to hear them.'

CHAPTER XII

'VERY well, your worship,' said the Doctor, biting his lips. 'Call Carl Ingerstrom. Stop —I ask the last witness—Did you see this man on No. 4 claim on the morning of the 12th December, and if so, what did you say to him?'

'I did see him loafing about the claim on the 12th,' said Cyrus, 'and I told him if he didn't clear I'd kick him out of it that hard as he'd never find his way back.'

'Ha! that will do, Mr. Yorke. You give very good evidence indeed. Permit me to compliment you upon it.'

A large, respectable-looking Teuton steps into the witness-box. His name is Carl Ingerstrom. He produces his Miner's Right, completely *en règle*, and deposes as follows, with a clear unhesitating air, though somewhat shifty as to the eyes—

'It vas de morgen of de dwelvth Tecemper I goes to numper vour of de Liperator Lead mit Mick Docheroty, Santy Mag Vails, and der Bommer. Ve dakes new begs and buds dem in de blases of dere begs. Ve vas occupy de ground—ve gommence do to vorks by beginnen to sinken anoder shaft. Dey rons and brevents us from vorken on our glaim—de last vitness, der breitmann, and anoder man. Ve has a sommons for de drespass. Ve knock off vorks dill de case is dried. Ve are here.'

Of course, this is a bare statement of the course of procedure necessary on the taking possession of a mining tenement, so as effectively to put the other occupants on their title. In the completeness of that title lies the gist of the whole action at law. And in that completeness very few of the more experienced spectators now believe.

Cross-examined by Mr. Markham. Is asked what induced him to peg out a claim in full work and occupation, and known to be on gold. Answer: 'Dat is de very reason—vould you hafe me beg out a glaim as is got nodings for do bay vages and du croob, and lawyer and alle teufels? I haf zeen Mr. Ikey Boynter, he adfice

me not to shoomp noomber vour. I say I will do all as I d—n like, shoost like an honest miner. I belief as der didle of de glaim is bat. I know Mr. Malcrate; he is ein herr hoch bes ahlter. I gif him one half-share out of bure freundlich. I haf zentimend—en sprach du deutsh. I lofe him. I gif all my freunds half-shares. Ve are all mades—hed and fest, in dis glaim.'

Michael Docherty, Alexander M'Phail, and Thomas Bommer (*alias* 'Tommy the Clock') are severally sworn and examined. Their Miners' Rights are perfectly legal. Their evidence is, in essentials, identical with that of Carl Ingerstrom. They have legally taken up and occupied No. 4 Liberator Lead, always supposing that the former occupation and tenancy were bad in law.

Finally, the case for the defence is concluded, and Mr. Markham rises to commence his speech.

The Commissioner looks at his watch.

'I can sit until five,' he says, 'if that will enable you to conclude your remarks.'

'I think I shall be enabled, your worship, to bring my address to an end within that time,'

says our counsel, 'though I cannot promise, in view of the very important nature and extent of the issue, to abate one iota of my privilege to address the Court, in order to clearly lay before it any point of the case that may seem material to the issue.'

'Certainly,' groans out the Commissioner resignedly. 'Of course, this case will have to be adjourned, in order to permit the counsel for the defence to be heard in reply. Now then, Mr. Markham.'

Mr. Markham, availing himself of the permission, at once commenced a lucid and masterly analysis of the whole mining law and custom bearing upon the case, than which no advocate was better fitted to display and unravel, no judge more qualified by experience to deal with than the Commissioner.

Hasty and impatient by nature, William Blake was a man whose clear intellect enabled him to comprehend with rapid and comprehensive grasp the apparently involved cases that were constantly brought before him. He could detect the flaw in the most subtle of reasoning with unerring accuracy. His attention never flagged, nor did his memory fail to retain the

most minute detail during the weary length of the protracted cases with which a crowded gold-field inundated his Court.

Ours was one of the most important cases which had occurred for a long time, and we had full assurance, as had every miner in that great gold region, that every legal formality would be scrupulously complied with. We knew that, if the fortunes of himself, his family, and his whole kindred had depended upon the verdict, our advocate could not have been more tireless, more energetic, more watchful, more desperately resolved to win, by the employment of his every gift and faculty, than he was now.

He drew a picture of the long discouraging struggle with fortune, which most miners had experienced. The travel and voyage from one colony to another. The terrible privations, by cold or heat, famine or poverty, silently borne or uncomplainingly defied! The weary waiting, the soul-sickness of hope deferred. The possible failure of health, the chances of accident, all the best gifts of mortality offered on the cast of the die. Life itself cast down recklessly as the last stake against gold.

Then the horizon brightens; a fortunate

find is made. The last hope, when so many were vain, has proved successful. The old dream of home and native land and longing early friends is no longer a romance but a tangible reality. The richness of the claim is proved. The ceaseless labour is for once munificently rewarded. The toil of years is at length duly compensated.

But what then? Envy and greed, watchful and eager as harpies, swoop down. A sham title is set up to the property—so fairly, so truly, so honestly acquired.

'But not legally,' interjects the irrepressible Doctor.

'Am I to be interrupted in this way?' says Mr. Markham, appealing gravely to the Bench.

The Doctor is informed that it is hardly correct for him to interpose during Mr. Markham's address.

He apologises, and the speech proceeds.

A sham title (he repeats) is set up. These loafing scoundrels—he must apologise for the expression, but they are *not* legitimate miners, or self-respecting labourers of any kind—who had shammed occupation, shammed efficient labour, were set on by, if possible, greater

scoundrels than themselves, only with a little more money, and who even now, in the background, were watching, spider-like, for the enmeshing of their prey. He trusted, however, that the web of deceit and chicanery would be rent on this occasion, would be swept into infamous oblivion by the besom of the law in the hands of Justice. (Applause.) Proceeding to quote a number of well-known decisions in mining cases, he traced the gradual growth of the assumption—for it was no more—that all the partners in a mining enterprise should suffer in title, in property, in person, in their very mining existence, if but one had failed to provide himself with what, he admitted, was an indispensable preliminary to all searching for gold upon the public estate—on the lands of the Crown—a Miner's Right. And he characterised as cruel, oppressive, and *ultra vires* of all the spirit and even letter of the common law of the realm, and, therefore, of the statute law under which the Commissioner was now adjudicating, this crushing and extreme penalty of forfeiture of the claim. If the work of men's hands, righteously won and manfully laboured at, was to be handed over to the first sneaking informer who

discovered a paltry technical defect, then the goldfields would soon cease to be composed, as they were now, of the very flower of the working classes. They would no longer have among them the more stalwart and intelligent individuals of those above the grade of labour, if such there were, but a concourse of thieves and assassins, cut-throats and gamblers—the scum of the nations of the earth.

Not a single point which could by any means be brought to bear upon the question at issue was omitted. Not a standard authority or leading case was left unquoted. Not an appeal to honest judgment, to good conscience and equity, as he maintained the Commissioner's Court as at present constituted to be, not a single part of the evidence which was favourable was left without reference; and when, candles having been procured and the hour of ordinary sitting long passed, the exhaustive oration was brought to a close by a solemn and impassioned peroration, in which the high magistrate was besought to right the oppressed and free the administration of goldfields law from the reproach of constructive unfairness and over-litigation which had so long clung to it, the Court adjourned

with one universal feeling on the part of the crowd of spectators, that justice was with the cause of the last speaker, and that he had nobly cleared away all doubts from the minds of his hearers.

On the morrow, punctually at the usual hour, the officials of the Court were in attendance. Directly the doors were thrown open by the police an eager crowd of miners, business people, and even strangers, attracted by the *cause célèbre*, poured in, filling every seat and foot of standing room.

Dr. Bellair was to make his speech in reply, and all knew that the Commissioner would then give his decision, that important verdict, which, though certain to be appealed against, was rarely, in such cases as this, reversed.

But little time was lost. After a few moments the case was again called on. The Doctor commenced his reply. His nervous, eager countenance was toned down to a decorous appearance of calmness and gravity much at variance with his volcanic temperament, as he, with a great show of deference and respect, addressed the Commissioner, whose experience and thorough knowledge of mining law (he

said) had made his opinion weighty, and his decisions all but immutable, wherever a gold-field gathered together its strangely constituted population. He would implore him to dismiss from his mind all knowledge of the different social footing of the parties to the suit; to obliterate all fanciful ideas of presumed equity and false generosity of sentiment, and to cling tenaciously and sternly, as a British judge should do, to the only pure and unmixed truth —the unquestioned and unquestionable law. This power, this rock, this law of the land, his clients, he should be able to demonstrate, had most unmistakably on their side. Whoever they were, whatever they were, he only claimed for them the status of the ordinary legitimate gold digger, who, however, with his Miner's Right, had the proud privilege of being able to occupy and search for gold every acre of the broad Crown lands of this great colony of New South Wales. They had never forfeited their right to justice. He should not dwell on this portion of the facts, in opening his case, were it not that so much stress had been laid by his learned friend on the previous career of the complainants, on their long course of evil for-

tune, and their present prize, which it was asserted his clients had conspired to wrest from them.

Whether it was so or not, he would submit, it did not touch the case in any shape. What was it to his worship, sitting here as judge both of law and of fact, how or with what success the complainants had laboured? If they had given their whole lives to an unsuccessful pursuit of gold, or fame, or happiness, had not others, all the world, indeed, with but few exceptions, done the same? The Commissioner did not sit here to redress the wrongs of society, and pose himself as a second-hand Providence, reading the hearts and rewarding the hidden motives of men, but to administer the law, not to make it—as the great Bacon, with almost divine wisdom, defined it—not to consider probable compensations of fate, but to hear and determine within the limits of the statute, and only with regard to sworn evidence brought before him. He himself knew the Commissioner, and the whole tenor of his previous decisions—decisions which lent stability and assurance to the great interest he was called upon to control—too well to dream that he would otherwise think, other-

wise act. But he ought, considering the quality of the *ad captandum* arguments used by his learned friend, due, no doubt, to the defects of his cause, not to pass over this aspect of the matter.

The Doctor then, warming to his work, to our dismay briefly and trenchantly dealt with the evidence, bringing out the default of that unlucky Cyrus, as to his missing or wilfully evaded Miner's Right, into full and distressing prominence. He showed that, over and over again, claims which had turned out to be the richest and most valuable on their field had been ruthlessly forfeited in consequence of similar illegality. It was as firmly established as anything could be by a series of judgments, by the consensus of opinion, by the unwritten custom of mining law, that in all such cases the default of one shareholder made *the whole occupation bad*. If the previous occupation was bad, the land was in the position of vacant, waste Crown lands, which his clients had had a perfect right to enter upon. They had legally done so; they had worked until prevented by force by the complainants. Their title was perfect. He defied any one to find a flaw in it.

If a verdict was not given for them in this case, then the whole previous weight and authority of mining law fell to the ground, an unsubstantial and baseless fabric. All future decisions must rest on caprice and injustice, on personal feeling and improper partiality.

But he had no fear of any such result, though, if it occurred, he would carry the case on behalf of his clients, poor and of small account as they were, through every court in the colony, including the highest, the Supreme Court, if it cost him every penny he had in the world. But (he repeated) he had no fear of such a contingency, such a perversion of right, such a miscarriage of justice. The experienced magistrate, the pro-consul he might call him, before whose words of fate the fortunes, almost the lives of men, had before now trembled in the balance, could not, dared not [the Commissioner's eye glowed, and then rested fixedly on the impassioned advocate, who seemed transfigured into a tribune, shrieking forth the wrongs of oppressed humanity, and proclaiming gospel of the people's rights], *dared not*, in the clear light of his fame for strict justice and stern impartiality, record other

than one verdict, one decree. He had no fear for the issue. He rested upon the firm basis of the evidence they had all that day heard. It was from first to last unassailed, unassailable; the law was plain, the issue certain. He awaited but the formality of his worship the Commissioner's sanction to place his clients in possession of the ground of which they and the public at large had been illegally deprived.

Now came the exciting last act of the melodrama so likely to terminate in tragedy as far as we were concerned. The Commissioner calmly looked over his notes, and prepared to deliver his decision amid the ominous hush and suppressed excitement of the crowded Court. Not a sound was heard, though the spectators in the rear of the assemblage raised themselves on tiptoe, and strained every ear with deepest curiosity to hear the words of fate. The Commissioner, in whose hands lay life and death (so to speak), who had the power to take away from us all that made life worth living for, to doom us to the barren and hopeless existence of unrewarded toil and hope long deferred from which we had so

lately emerged, commenced his address. It would not be long, we knew. It was not his wont to 'improve the occasion' in the hundreds of cases, more or less important, which he administered monthly. He was fully aware that his audience, whether as malefactors or parties to civil process, understood the consequences of legal wrong-doing on the facts of the case fully and accurately without explanation from him or any other magistrate. His duty was to administer the law, with which as a class they were singularly well acquainted, without favour or affection; and this he always did shortly and decidedly. He was very careful in arriving at his decisions; but once given, they were as the laws of the Medes and Persians. If they could be shown to be *ultra vires* or informal, well and good; let the higher courts see to that. But he, William Blake, had never been known to alter a decision, and as long as he was Commissioner of Goldfields never would be.

Thus he began—

'This was an information laid for trespass by Pole and party, complainants, who sought to cause Ingerstrom and others to abate tres-

pass upon a certain mining tenement, known as No. 4 Liberator Lead.

'The gist of the matter clearly lay in the evidence given on the part of Pole and party, as to the legality of their prior occupation of No. 4 claim, before referred to. It had been proved before him this day in Court that they had taken up, that is, occupied and worked the claim, had sunk upon and traced the auriferous drift, had taken out wash-dirt, and received and shared dividends, long before the defendants had appeared upon the scene. If they had in all respects complied with the regulations, there was no doubt about the complainants possessing the prior right. Upon that proof being complete the whole title hinged. If it were not so proved, no natural feeling of sympathy on his part, no consideration of the crushing severity with which a breach of the goldfields' regulations would be visited on their heads, in the event of their forfeiture of so rich a claim as No. 4 had been proved to be, would prevent him from recording a verdict adverse to them. He, sitting there, had nothing whatever to do with the feelings, nay, the equitable right of individuals. He had always,

he hoped, clearly interpreted and enforced the law, and the law only. Such he would continue to do, he trusted, to the end.

'With regard to the occupation of Pole and party, it had been shown that three of the shareholders possessed Miners' Rights. But the fourth shareholder was unable to produce that indispensable permit. He must, therefore, be presumed to be without it, and, in such a case, he was an unauthorised occupant of Crown lands, whether for residence or mining purposes. He had no *locus standi*. He could not legally apply for relief of any kind to that Court. Any share which he possessed must be forfeited. He was also liable to a fine, with imprisonment in default of payment.

'This, however, was not all. It had been long held by mining authorities that, unless all the shareholders taking up a claim were possessed of Miners' Rights at the time when they pegged out and commenced operations, their action was illegal as far as taking possession of Crown lands for gold mining purposes, under the Act, was concerned. The occupation, he repeated, if but one even of

the shareholders was not at that time the holder of a Miner's Right, would be bad in law.

'In this case, it had not been shown in evidence before him that Cyrus Yorke, one of the complainants in the trespass case now before him, was the holder of a Miner's Right when No. 4 claim was first by them taken up. That default, in his opinion, invalidated the whole title. Not the slightest doubt existed in his mind upon the subject. He would, therefore, give a verdict for——'

Here an uproar arose in the body of the Court towards the entrance door, of such a pronounced, ungoverned nature, that the sergeant, looking at first pained and then justly indignant, marched with long dignified strides and a sternly resolved air to the scene of disorder, as if to bring the offenders, there and then, before the Court for doom.

He reappeared, however, with an altered and relaxed visage, escorting gallantly our good friend Mrs. Cyrus Yorke, on the other side of whom was Mr. Markham, who ever and anon inclined his ear in confidential legal intercourse. The little woman held one hand triumphantly

aloft, in which was something which stirred our hearts anew and caused the flickering light of hope to be freshly irradiated with a glow of celestial illumination.

'Your worship,' commenced the sergeant, 'I beg respectfully to state that the apparently disorderly conduct in Court was caused by the attempts of the friends of this witness to procure her admission to the vicinity of your worship.'

'Sergeant M'Mahon, the irregularity is fully explained. You desire to address the Court, Mr. Markham?'

'Yes, your worship. I tender this witness, the wife of one of the complainants, who has most important evidence, material to the issue, to give. I am aware that the proceedings on the side of the complainants have been closed, but your worship's Court, as that of a Commissioner of Goldfields, is one of equity and good conscience, and I trust that such evidence as this witness may produce will not be shut out.'

'I object to any such proceeding as monstrous, illegal, and perfectly unprecedented,' shouts Dr. Bellair, with a most excited air. 'The evidence has been closed, the whole

proceedings finished, but the actual pronunciation of the verdict, in defendants' favour, of course; and now you ask to have the proceedings reopened, for what possibly may be perfectly unnecessary evidence.'

'We shall see that,' said Mr. Markham, with a sanguine air. 'Will your worship admit the evidence?'

'The question with me, in such cases as I am called upon to try under the Mining Act and Regulations, is less whether the evidence be informally tendered, than whether the nature of it be material. In this case I will shut out *no evidence* that may possibly bear on the legality of my decision. Swear the witness.'

'Mrs. Yorke, go into the box,' said Mr. Markham. 'You are the wife of Cyrus Yorke, one of the complainants who has given evidence in this case to-day?'

'Yes.'

'Do you produce a Miner's Right, and, if so, in whose favour, and of what date?'

'I do. I took it out for my husband, one day in Louisa, knowing how careless he was in such things, and put it into a box for safety. It was hidden under the children's clothes, or I

should have had it out in Court long before this. Goodness knows what——'

'Have the goodness to hand it to the Clerk of the Court,' interrupted the Commissioner.

The truly important document was inspected with eager eyes by that functionary, who respectfully handed it to the Commissioner. He read aloud the talismanic signs—

'"Cyrus Yorke. 1st January 185—. Issued in the Registrar's office at Louisa. To remain in force till 31st December 185—.

(Signed) "William D. Blake, P.M.,
"Commissioner."'

An utterly irrepressible sound of relief and amazement escaped the lips of the majority of the listeners. There was the missing link, the indispensable, vitally necessary legal act, in default of which this tremendously rich claim was about to be forfeited and transferred to the enemy, as sure as anything ever was in this world.

'Silence in the Court,' growls the sergeant, but with a sympathetic intonation noticeable through all his official severity.

'I demand to see this paper, this Miner's

Right as it is called,' here breaks in Dr. Bellair, with a voice of mingled passion, regret, and disbelief. 'How do we know that it has not been manufactured for the occasion? I demand the fullest investigation as to how and when it was issued, and I protest against any notice being taken of it as evidence in this most improper manner.'

'You may protest, Doctor,' said Mr. Markham, good-humouredly, 'but my client's case is complete. I am in a position to prove, by the evidence of the Mining Registrar at Louisa, that the Right produced was taken out by witness during the week following Christmas of last year—she very properly determining to make sure that her husband should not be placed in a false position. I wish all wives were as careful on the goldfields. Now you can examine the witness, Doctor, and make what you can of her.'

'I shall do so, without your permission,' cried the fiery little advocate. 'Now then, Mary Ann Yorke. Is that your real name; are you married to the complainant, Yorke?'

'I'd soon show you, if I had you down on the Blue Lead,' said the little woman, trembling

with passion, and suggestively raising her hand. 'What do you mean by——'

'Mrs. Yorke,' said the Commissioner, suavely but firmly, 'you must answer Dr. Bellair's questions, and I would remind you not to become excited in this Court. Answer the questions shortly, and to the best of your knowledge; the examination will soon be over.'

'Yes, Commissioner, yes, your worship,' said poor Mrs. Yorke, already repenting her of her just indignation, in that it might imperil the cause; 'but what does he mean by trying to make out I'm not an honest woman, and don't have my right name? I'll name him if he tries that on, as sure as my name's Mary Ann Yorke.'

'I trust I shall be protected by the Court,' said the Doctor, defiantly. 'It is necessary that I should test this woman's credibility, which I have every reason to doubt.'

'Certainly, Dr. Bellair, but I must ask you not to put such questions needlessly, as may be offensive to the witness's feelings of modesty and self-respect.'

'I claim the privileges of the Bar! and I defy your worship to abate one jot or tittle of

those privileges in my person. A judge of the Supreme Court could not do so.'

'You will find, Dr. Bellair, that I am judge in my own court, and that I will interfere very decidedly, if you pursue a line of cross-examination which can only have the effect of distressing the feelings and outraging the moral sense of the witness—in this case, a most exemplary and respectable woman.'

The Doctor snorted indignantly, and went on with his cross-examination; but although he made himself sufficiently disagreeable to Mrs. Yorke, whose eyes became so round and fierce that we all felt alarmed, particularly Cyrus, at the probable consequences, he did not choose to adopt the vivisecting process permitted to counsel in the higher courts. He knew full well, by experience, in spite of his bravado, that he would be peremptorily stopped by the Commissioner, one of whose fixed principles it was, never to permit a woman, whatever might be her character and antecedents, to be needlessly harassed in the witness-box, or treated with unnecessary disrespect. So the day wore on.

'Why did her husband not take out his own

Miner's Right; wasn't he man enough to do it?' said the Doctor.

'He *was* man enough to work hard for his family, and had never denied them anything—not like some folk, a-spending their money away from home, and isn't very particular what company they went into on the sly; but he hadn't no head for business like. And wasn't there many a good all-round man on this field, as the same could be said of?'

All Mrs. Yorke's timidity gradually left her. Such is generally the case with female witnesses. And, being fully aroused to a sense of the Doctor's antagonistic position to the party, answered him with such vigour and unexpected epigram, that the Court, more than once, felt compelled to interfere. However, nothing could be got out of her but that she had taken out the Miner's Right for the use and benefit of her husband, 'as any wife as had any sense had good call to do.'

'Why, I might have one myself, Doctor,' she continued, 'for all you know, or the baby in arms, bless him! The Act says, "any person," don't it? It doesn't say man or woman, child or sucking babe, does it? I

shouldn't wonder if I knew as much mining law as you do, Doctor; close up.'

'I opine that we do not come here to listen to this woman's disrespectful maunderings about Mining Acts and Regulations, your worship,' said the little man, loftily. 'I demand the protection of the Court.'

'Who do you call "this woman"?' Mrs. Yorke was just commencing to inquire, when she was told by the Commissioner that she might stand down after signing her name to her deposition.

'One moment, your worship. I wish to interpose one question,' said Mr. Markham. 'What Mining Registrar did you get your Miner's Right from? who issued it?'

'Mr. Allen, of Louisa. I went over there about some quinces; and I saw him write it down in the butt of his book. It'll be there, with the day and date, I know. There's no get away, you take my word, your worship.'

'That will do, Mrs. Yorke. We will not detain you.'

And the little woman retired to a seat, previously casting a look of withering indignation at her late opponent.

The Commissioner, apparently, did not see the necessity of making two speeches upon the same subject. Besides, it was getting late. He briefly gave the reasons for the decision he was about to pronounce.

'He had stated, he thought, in his first address that the missing link in the chain of evidence for the complainants was an important one—no less than the Miner's Right of Cyrus Yorke, one of the original and prior occupants. Had the defect in the evidence not been cured, a verdict must have been given by him virtually for the defendants—"No trespass committed."

'The last piece of evidence, although from circumstances tendered so late in the day that some magistrates would have felt justified in shutting it out altogether, had clearly proved that the complainants were each and all legally authorised when they went on the ground. That they had prior occupation could not be doubted for an instant. They had worked their claim for gold, had washings out of it, and shared dividends. As to the size of the claim, and its irregular shape, that was partly caused by the course of the lead, and was a minor

matter in his eyes. So long as they had no more than the number of superficial feet allowed in four men's ground, he saw no illegality in that circumstance. He, therefore, unhesitatingly pronounced a verdict for complainants, with one hundred and fifty pounds costs against defendants, who were hereby ordered forthwith to abate trespass.'

At this announcement a general impulse tempted the closely-packed crowd to cheer. The sergeant looked around with so horrified and severely surprised expression of countenance, that the audience relapsed into the dumbness of church-goers. Mrs. Yorke wept for joy, and infected with that strange contagious feminine luxury a young woman who sat next to her, and who, being a relation of one of the jumpers, might be said to belong to the enemy's camp.

'I give notice of appeal!' promptly said the fiery little advocate.

'Lodge your money within seven days, and a written notice in due form,' said the unmoved Commissioner.

'I desire to apply for an injunction also, to restrain Pole and party from washing up and

getting gold from my clients' claim while this suit is pending.'

'And I oppose the granting of any such instrument,' said Mr. Markham. 'My clients have been placed in this position for no fault of their own. They have lost valuable time. They have been compelled to attend here without a shadow of reason, and debarred from their legal rights. And now your worship is asked, forsooth, to keep them idle for another three or six months.'

'Under the circumstances, I refuse to grant an injunction,' quoth the Commissioner.

'I shall only be compelled to apply to a judge of the Supreme Court,' replied Dr. Bellair.

'It is not for me to suggest to whom you may or may not apply,' answers the Commissioner. 'I shall grant no injunction, if every barrister in the colony made separate application. The Court stands adjourned to this day week.'

Whereupon there was a general stampede to the nearest hotels on the part of the witnesses, spectators, complainants, and defendants; while the Commissioner, evidently not in the humour for conversation, mounted his well-known

hackney, which was brought to the office door by a trooper, and departed in the direction of the police camp, whistling, as he went, to his dogs, but evidently not 'for want of thought.'

The melodrama had been played. The *dénouement* was satisfactory as far as we were concerned. But more uncertainties and a further experience of litigation awaited us. The prize was too rich to be abandoned at the first check; Dr. Bellair a man, when in the guise of an opponent, not to be lightly regarded. He had, it was reported, received a transfer of a 'sleeping quarter share,' that is, a proportion of the property of the claim, involving a sixteenth of the entire profit, without the necessity of representing or paying for the services of an able-bodied miner.

This might be worth a thousand—two—three thousand pounds. No doubt it was worth a considerable amount of trouble and legal research. We did not expect to be let alone for long. Of course notice of appeal had at once been given by the opposite side, and the sum of money, stated in the regulations, lodged with the registrar of the district court.

But we went to work again, and made haste

to raise enough to complete a machineful of wash-dirt, which, when put through or puddled, produced a sufficiency of gold to pay all our late law expenses, and leave us a comforting surplus, thus demonstrating also the unabated richness of No. 4.

Hardly, however, had we completed this gratifying transaction than one of our late antagonists arrived in company with a police trooper, and called upon us to stop working on their claim.

'*Your* claim!' said Cyrus Yorke, striding up to him and lifting him off the ground, as if he had been a schoolboy, instead of a wiry, muscular labourer. 'You may serve out your injunction, or summons, or whatever it is that you've got the bobby to help you with; but if you call No. 4 *your* claim again, I'll drop you down the shaft as sure as there's homminey on the Hawkesbury.'

We had seldom seen our easy-going, careless partner so excited before. Like most slow-moving intellects, his faculties were capable of great expansion when fully aroused. Once or twice we had marked him in the thick of an affray. Like Athelstane the Unready when

his blood was up, knight, and squire, and yeoman, and villain went down with wondrous suddenness before the South-Saxon giant of Wiseman's Ferry. On this occasion there was no need for deeds of valour. The miners of Yatala had long since discovered the futility of resorting to physical force.

'I say, Cornstalk, I shall have to put the bracelets on those mutton fists of yours,' said the trooper good-humouredly. 'That chap's on the Queen's service, or all the same. Here's a Supreme Court injunction, which I hereby serve by giving to your mate, Harry Pole, here. D'ye hear? Let go this honest old miner, or you'll drop in for it. I've seen as big a chap as you straightened afore now.'

Cyrus was too good a subject of Her Gracious Majesty to resist the law's representative. He relinquished Mr. Bommer with a gentle shake, growling to himself meanwhile like an interrupted grizzly. We capitulated. I called out 'Below there.' The indicator rapped, and presently the Major and Joe Bulder emerged from the lower depths, clay-stained and disgusted.

'Blocked again!' quoth the Major; 'what an infernal shame! It's enough to demoralise a

man altogether and irrevocably, this forced idleness. Enough to drive him to take to—well—Alison's *History of Europe*, or even Martin Farquhar Tupper. Do you ever reflect for one moment,' he said, facing the astonished jumper, 'what may be the consequence of your unprincipled litigation? Heavy reading, incipient dementia, violent inanity, imbecility. And all because you won't respect the tenth commandment. Had you a mother? Did you ever attend a Sunday school? Had you so much as a maiden aunt? Answer me.'

'You be hanged,' said the half-puzzled, half-irritated cat's-paw, who had evidently been drowning his sense of defeat in the flowing bowl, from his flushed and heavy-eyed look. 'You think because you and Harry Pole are swells that you can carry things all your own way on the field. But we'll learn ye different before we've done with yer.'

'And you think, because you're a pack of loafing blackguards,' retorted the Major, roused for the nonce, 'that you can interfere with fair working miners, and steal claims that you have no more right to than the bank in Main Street. We shall see you all in gaol for half a year for

our costs that's one comfort; and it's a great pity we can't put your underhand friends and backers there along with you.'

'You'll be pulled for using language calculated to cause a breach of the peace, Major,' said the trooper, 'if you don't stash it. Come along, my noble jumper, you've served your injunction, and that ought to satisfy you for one while.'

So the malignant departed, rather to my relief, for there was nothing to be gained by being summoned to Court, and fined under the 5th clause of the Vagrant Act. No. 4 was sufficiently near a public road, thoroughfare, or place, to tempt our adversary to swear that we were within the meaning of that very stringent clause.

Our wisest plan was to comply with the law, to hang up our buckets, put away the rope, and abide the issue. A deep claim is not a property that can be worked, or larcenously interfered with, without remark. The only way that our golden hoard could in any way be rifled was by the men in one of the adjacent claims driving or making a lateral gallery over our boundary below, when our wash-dirt might have gone up

their shaft in the light of day, and no one been any wiser. This has been done before now.

In addition to this safeguard, the neighbours on either side were straightforward and honourable men. We also possessed another legal preventive. By application to the Commissioner we could at any time obtain an order to descend and survey either of the adjacent shafts, when, by means known to all miners, we could soon discover if any subterranean encroachment had been made.

We were stopped accordingly. It was a bore, but the other side could not work either; and being precluded from hard work, with plenty of money to spend, and no unpaid debts, or anxiety about the morrow, was a very different thing from our former experiences.

So we all preserved our souls in peace for the six weeks that elapsed before the appeal could be heard. The Major read every book in the library of the Mechanics' School of Arts, besides buying so many that they may seriously interfere with the comfort of our sleeping apartment. Joe Bulder smoked a good deal more

than was good for him, and anathematised those scoundrels of jumpers with more fervency than propriety. While Cyrus ran his horse in several exciting sweepstakes, and won or lost as the case might be.

END OF VOL. I

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